

2024:PHHC:007752

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

265

**CRM-M-57095-2023
Date of Decision : 20.01.2024**

VIJAY KUMARPetitioner

VERSUS

STATE OF PUNJABRespondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Anoop Singla, Advocate,
for the petitioner.

Mr. Jashandeep Singh, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. At the very outset, learned State counsel, on instructions imparted to him by ASI Jatinder Kumar, informs this Court that Section 201 of the IPC, has also been added in the instant FIR. Therefore, on the oral request of learned counsel for the petitioner, Section 201 IPC, is ordered to be added in the head note as well as in the prayer clause of the petition.

Registry is directed to make necessary corrections in the records accordingly.

2. On the last date of hearing i.e. 14.11.2023, the following order was passed by this Court:-

“1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner has sought the concession of anticipatory bail, in case FIR No.26 dated 29.05.2023, under Sections 379-B/34 of the IPC, registered at P.S. Fatehgarh Panjtoor, District Moga.

2. The allegations against the petitioner are that he along with his co-accused waylaid the complainant and snatched away his Jupiter Scooty bearing No.PB-08-ET-5825 and Rs.5,000/-. The petitioner was also alleged to be armed with an iron rod at the time of above incident.

3. The learned counsel for the petitioners intimates this Court that the co-accused of the petitioner have been enlarged on regular bail.

4.

Considering the role attributed to the petitioner, coupled with the fact that he is not involved in any other criminal case, this Court deems it appropriate to, at this stage, grant the asked for relief.
5.

Notice of motion for 17.01.2024.
6.

Mr. Karunesh Kaushal, A.A.G, Punjab, accepts notice on behalf of State of Punjab.
7.

In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, or, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.”
3.

Learned State counsel, on instructions from aforesaid police official, submits that the petitioner has already joined the investigation in pursuance to the aforesaid order, and he has fully co-operated with the investigation process, and has also got recovered one iron rod, and he is no more required for any further custodial investigation.

He further submits that the snatched scooty has also been got recovered from the co-accused of the petitioner.
4.

In view of the specific stand taken by the learned State counsel, the present petition is allowed, and order dated 14.11.2023 is, hereby, made absolute.
5.

In case, the petitioner is found to be involved in such or similar offences in future, the State is at liberty to approach this Court to file an application seeking cancellation of his bail.
6.

All pending application(s), if any, also stands disposed of.

January 20, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No