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

**CRM-M-58211-2023 (O&M)
Date of decision : 20.02.2024**

Aniket Kumar

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Ajay Pal Singh, Advocate,
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab,
assisted by ASI Kapil.

MAHABIR SINGH SINDHU, J.

Petition under Section 438 of the Code of Criminal Procedure, 1973 has been filed for grant of pre-arrest bail to the petitioner in FIR No.68 dated 10.05.2023, under Sections 379-B, 411 read with Section 34 of the Indian Penal Code, 1860, registered at Police Station Division No.2, District Ludhiana.

2. Allegations are that petitioner along with other co-accused being members of a gang, were involved in snatching of mobile phones.

3. Status report filed by way of affidavit dated 06.12.2023, of Mr. Sukhnaaz Singh, PPS, Assistant Commissioner of Police (Central) Ludhiana, is taken on record. Copy thereof supplied to the other side.

Registry to do the needful.

4. This Court, on 15.01.2024, granted interim bail to petitioner and relevant part of the same reads as under:-

“Learned counsel for petitioner contends that there is no other criminal case pending against the petitioner.

Learned State counsel seeks time to verify the above factual position.

Posted for 20.02.2024.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”

5. Contends that in terms of the aforesaid order, petitioner has already joined investigation and his custodial interrogation is not required.

6. Above factual position is duly acknowledged by learned State Counsel, on instructions from the Police Officer present in Court and further stated that custodial interrogation of the petitioner is not required at this stage.

7. In view of above, interim order dated 15.01.2024 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

8. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

9. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

10. Disposed off accordingly.

11. Pending application(s), if any, shall also stand disposed off.

20.02.2024
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(MAHABIR SINGH SINDHU)
JUDGE

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