

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203

CRM-M-60659 of 2023
Date of Decision: 15.02.2024

Sanjeev Kumar @ Sanjeev Kumar Khanna

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Lalit Singla, Advocate and
Mr. Himanshu Kamboj, Advocate, for the petitioner.

Mr. Vinay Kumar Malhotra, DAG, Punjab,
assisted by ASI Lakhwinder Singh.

FIR No.	Dated	Police Station	Section/s
0093	09.07.2021	Khuian Sarwar, District Fazilka	380 and 457, IPC (offence under Section 120-B, IPC was added later on)

GURVINDER SINGH GILL, J (ORAL)

1. The petitioner seeks grant of anticipatory bail in respect of
aforementioned FIR.
2. At the time of issuance of notice of motion on 02.12.2023, the
following order was passed:

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking pre-arrest bail.

xx xx xx

Counsel for the petitioner contends that the petitioner has been named as an accused on the basis of disclosure statement of co-accused, who allegedly committed theft in the house of the complainant in the night intervening 08-09/07/2021. Counsel submits that after trial, both the accused have been acquitted by judgment dated 14.11.2022, Annexure P-2. Still further, it is his submission that petitioner

has been falsely implicated as an accused in four other criminal cases, all lodged within the span of few days with similar allegations, wherein the main accused have been acquitted after trial. Counsel submits that the petitioner, who is a goldsmith, is prepared to join the investigation.

Notice of motion.

On asking of the Court, Mr. A.P.S.Tung, DAG, Punjab accepts notice on behalf of the State-respondent.

List on 15.02.2024.

Petitioner is directed to join the investigation on 18.12.2023 at 10:00 A.M. at Police Station Khuian Sarwar, District Fazilka and co-operate with the Investigating Agency. In the event of arrest, he shall be admitted to interim bail on furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C. ”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 02.12.2023 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

15.02.2024

D.Bansal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No