

[289] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-60572-2023
Date of Decision : 07.02.2024

Arshdeep Singh ...Petitioner
versus
State of PunjabRespondent

Coram : HON’BLE MR. JUSTICE DEEPAK GUPTA

Present : Mr. Divyansh Vats, Advocate for
Mr. H.S. Batth, Advocate
for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

[1] On 02.12.2023, the following order was passed by this Court:-

“ Present: Mr. Divyansh Vats, Advocate for
Mr. H.S. Batth, Advocate for the petitioner.

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Prayer in this petition under Section 438 Cr.P.C. is for grant of anticipatory bail in case FIR No.184, dated 11.11.2022, registered at Police Station Kamboj, District Amritsar, under Sections 436, 452, 427, 457, 380, 506, 148 and 149 of IPC.

Learned counsel for the petitioner contends that vide order dated 19.08.2023 (Annexure P-2), the Court of learned Additional Sessions Judge, Amritsar, has declined the anticipatory bail of the petitioner, despite he being a juvenile, on the ground that anticipatory bail under Section 438 Cr.P.C. on behalf of the juvenile is not maintainable.

*Learned counsel for the petitioner further contends that provisions of Juvenile Justice (Care and Protection of Children) Act, 2015, are beneficial for the juvenile and he has the right to seek anticipatory bail as and when he apprehends his apprehension. Learned counsel also relied upon order passed in **Mohammad Zaid versus State of U.P. and another**, bearing **CR.P.C. No.8361 of 2020** decided on 24.05.2023 by Allahabad High Court.*

Apart from the above, attention is drawn toward the fact that as per the allegations, petitioner along with more than 10 other persons allegedly entered the house of the complainant, all of whom raised lalkara to teach a lesson to him. It is also alleged that co-accused poured kerosene oil and burnt the articles. It is further contended that there is no specific allegation against the petitioner.

Notice of motion.

Mr. Parneet Singh Pandher, AAG, Punjab accepts notice on behalf of the respondent-State. A copy of paper book be supplied to him during the course of day.

Adjourned to 07.02.2024 for filing status report.

In the meantime, petitioner is directed to join investigation and cooperate in the same. He will not leave the country without prior permission of the Court nor shall make any attempt to contact the complainant of the case or any witness associated with the case. In the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C. ”

[2] Today, learned State Counsel, on instructions from ASI Sukhwinder Singh, has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 02.12.2023 and is no longer required for further investigation.

[3] In view of the aforesaid, the order dated 02.12.2023, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

[4] Disposed of.

(DEEPAK GUPTA)
JUDGE

07.02.2024
'Rajneesh'