

204-1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-61525-2023
Date of decision: 18.01.2024

MANDEEP SINGH MANN @ NIKKA
...PETITIONER
V/S
STATE OF PUNJAB
...RESPONDENT

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Tarun Singla, Advocate for the petitioner.
Mr. Subhash Godara, Addl. A.G., Punjab.

HARPREET SINGH BRAR J. (ORAL)

Through instant petition, the petitioner is seeking anticipatory bail in case FIR No. 68 dated 13.07.2023 registered under Sections 324, 341, 427, 34 of Indian Penal Code (Section 326 IPC added later on) at Police Station Maur, District Bathinda (Annexure P-1).

2. On 07.12.2023, following order was passed:

“This is a petition filed under Section 438 Cr.P.C. seeking anticipatory bail in case FIR No.68 dated 13.07.2023, under Sections 324, 341, 427, 34 IPC (Section 326 IPC was added later on), registered at Police Station Maur, District Bathinda.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the FIR in question was lodged after an unexplained delay of 05 days. The petitioner has been arraigned as an accused after due deliberations. It is submitted that the main accused Kalu Singh @ Jagdeep Singh has already been granted the concession of interim anticipatory bail by this Court. Learned counsel for the petitioner has submitted that the petitioner is ready to join investigation and cooperate with the investigating agency.

Notice of motion.

Mr. Sanish Girdhar, AAG, Punjab, accepts notice on behalf of respondent-State and waives service. Learned State counsel seeks time to file reply/status report.

List on 18.01.2024.

In the meanwhile, petitioner shall join the investigation and would associate as and when called. In the event of arrest, the

petitioner shall be admitted to interim bail on furnishing personal bond and surety to the satisfaction of Arresting Officer/Investigating Officer. The petitioner shall abide by the conditions specified in Section 438(2) Cr.P.C.”

3. Learned State counsel, on instructions from ASI Arjun Singh, submits that in compliance of order dated 07.12.2023 passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.
4. Keeping in view the statement made by learned State Counsel the order dated 07.12.2023, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) Cr.P.C.
5. The petition is accordingly allowed.
6. Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and trial Court shall proceed without being prejudiced by observations of this Court.

January 18, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No