

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

CRM-M-61299-2023
Date of Decision : 12.02.2024

Balwinder Devgun @ Bhinda ...Petitioner
versus
State of PunjabRespondent

Coram : HON’BLE MR. JUSTICE DEEPAK GUPTA

Present : Mr. Nitish Garg, Advocate for the petitioner.
Mr. Sahil R. Bakshi, DAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

[1] Status report by way of affidavit dated 12.02.2024 of Shri Sham Sunder Sharma, PPS, Deputy Superintendent of Police, Sub Divison Balachaur, District Shaheed Bhagat Singh Nagar, on behalf of the respondent-State has been filed in Court today. The same is taken on record.

[2] On 08.12.2023, the following order was passed by this Court:-

“ Present: Mr. Nitish Garg, Advocate for the petitioner.

By way of present petition filed under Section 438 Cr.P.C., petitioner has prayed for grant of anticipatory bail in case FIR No.42 dated 29.07.2023 registered under Sections 399 and 402 IPC and Section 25 of Arms Act, 1959 at Police Station City Balachaur, District SBS Nagar.

Allegations are that on 29.07.2023, secret information was received by the Police party against the petitioner and others to be present in a Khadd near Shani Dev Mandir along with weapon and planning to commit robbery in a Bank. On the basis of this information, raid was conducted. It is alleged that though the other accused were apprehended but the petitioner managed to slip away.

Learned counsel contends that the petitioner has been falsely implicated; that he has no criminal antecedents nor he was present at the spot.

Notice of motion.

Mr. P.S. Pandher, AAG, Punjab, accepts notice on behalf of the respondent- State. Copy of the petition be supplied to him during course of the day.

Adjourned to 12.02.2024 for filing status report.

In the meantime, in case of his arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/ Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C. ”

[3] Today, learned State Counsel, has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 08.12.2023 and is no longer required for further investigation.

[4] In view of the aforesaid, the order dated 08.12.2023, 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.

[5] Disposed of.

(DEEPAK GUPTA)
JUDGE

12.02.2024
'Rajneesh'

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