

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

CRM-M-61827-2023
Date of decision: 14.02.2024

GURSEWAK SINGH

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : None for the petitioner.

Mr. Raghav Garg, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. On the last date of hearing i.e on 08.12.2023, the following order was passed:-

"This is a petition filed under Section 438 Cr.P.C. seeking anticipatory bail in case FIR No.193 dated 19.09.2023, under Section 379 IPC and 21 of Mines and Minerals (Development & Regulations) Act, 1957, registered at Police Station Sadar Fazilka, District Fazilka.

Learned counsel for the petitioner *inter alia* submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that no person was apprehended at the spot. It is not the case of the prosecution that any person fled from the spot to avoid being apprehended. It is submitted that the petitioner has been implicated in different FIRs at the same police station for the reason that on an earlier occasion, on the statement of the petitioner, one FIR was registered against the police official by the Vigilance Bureau. Learned counsel for the petitioner submits that the petitioner is ready to join investigation and cooperate with the investigating agency.

Notice of motion.

Mr. Hakam Singh, AAG, Punjab, accepts notice on behalf of

respondent-State and waives service. Learned State counsel seeks time to file reply/status report.

List on 14.02.2024.

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."

2. Learned counsel for the petitioner submits that in pursuance of the order dated 08.12.2023, the petitioner had joined the investigation.
3. Learned State counsel, on instructions from the official respondent, submits that the petitioner had joined the investigation and he is not required for any further custodial interrogation.
4. In view of the statement made by learned State counsel, the interim order dated 08.12.2023, is hereby made absolute.

14.02.2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No