

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-M-62412-2023

Date of decision: 29.02.2024

ARPANDEEP SINGH

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Vinay Kumar, Advocate for the petitioner.

Mr. Akshay Kumar, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. On the last date of hearing i.e on 12.12.2023, the following order was passed:-

"1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner has sought the concession of anticipatory bail, in case FIR No.18 dated 31.03.2023, under Section 379-B(2) of the IPC, and, Section 25/27 of the Arms Act, registered at P.S. Ghanie Ke Bangar, District Batala.

2. The allegation against the petitioner and his co-accused is that they snatched the mobiles and Rs.20,650/- from the complainant and his friend.

3. The learned counsel for the petitioner, in his asking for the relief (supra), submits that the petitioner has been arrayed as an accused in the instant FIR merely on the basis of information provided by co-accused Sagar and Pawan Pal during their interrogation, whereas, he has not been named in the FIR.

4. Furthermore, by drawing attention of this Court towards Annexure P-2, the learned counsel for the petitioner submits that petitioner's co-accused, namely, Sagar and Pawan Pal, from whose respective possession the motorcycle used in the alleged occurrence

*and one of the snatched mobiles has been recovered, have already been granted the concession of regular bail by the learned Sessions Judge,
Gurdaspur.*

5. Notice of motion for 29.02.2024.

6. Ms. Kanica Sachdeva, A.A.G., Punjab, accepts notice on behalf of respondent-State of Punjab.

7. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C."

2. Learned counsel for the petitioner submits that in pursuance of the order dated 12.12.2023, the petitioner had joined the investigation.
3. Learned State counsel, on instructions from ASI Anand Singh, submits that in fact the petitioner was arrested in a different case, however, in the instant matter the investigating Officer through production warrants, issued by the Magistrate concerned, made the petitioner available for joining the investigation, and the petitioner had fully co-operated with the Investigating Officer, 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 12.12.2023, is hereby made absolute.

29.02.2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No