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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-62508-2023 (O&M)
Date of Decision: 22.02.2024

Gurpreet Singh

.. Petitioner

Vs.

State of Punjab and another

..Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Nandan Jindal, Advocate for the petitioner.
Mr. Anup Singh, AAG, Punjab.
...

SUMEET GOEL, J. (Oral)

1. This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No. 82 dated 15.12.2019 registered for offences punishable under Sections 376, 313, 420, 506 and 34 IPC at Police Station Dhilwan, District Kapurthala.
2. On 08.01.2024, the following order was passed:-

“.....Apprehending his arrest in FIR No. 82 dated 15.12.2019 registered for offences punishable under Sections 376, 313, 420, 506 and 34 IPC at Police Station Dhilwan, District Kapurthala; the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

Inter alia contends that after due investigation, the police had presented a cancellation report and it is thereafter that the petitioner has been summoned as an accused by the trial Court by exercising powers under Section 190 Cr.P.C.; no recovery is to be effected; custodial interrogation is not required as case in hand is a complaint case & the petitioner is willing to join trial proceedings and co-operate therein in accordance with law.

Notice of motion.

On asking of the Court, Mr. Adhiraj Singh, AAG, Punjab, appears and accepts notice on behalf of the respondent-State.

Adjourned to 22.02.2024.

The petitioner is directed to appear before the trial Court on or before 24.01.2024 upon which trial Court shall admit him to interim bail to its satisfaction. He shall continue to appear regularly before the trial Court in accordance with law. He shall also abide by the condition(s) enumerated under Section 438(2) Cr.P.C”

3. Learned counsel for the petitioner has submitted that the petitioner has appeared before the trial Court in terms of order dated 08.01.2024, whereinafter he has been admitted to interim bail.
4. Learned State counsel does not dispute the above fact and stated that the petitioner has appeared before the trial Court and furnished the bail bonds and surety bonds in terms of order dated 08.01.2024 passed by this Court.
5. Keeping in view the entirety of the facts and circumstances of the case, the petition is allowed and the order dated 08.01.2024 is made absolute, subject to the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any, with the trial Court.
- (vi) The petitioner shall give his cellphone number to the Investigating Officer/SHO of concerned Police Station and shall not change his cell-phone number without prior permission of the trial Court/Illaqa Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.

22.02.2024

(SUMEET GOEL)

JUDGE

Jasmine Kaur

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No