

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-63907-2023
Date of decision: 20.02.2024

Satnam Singh.....Petitioner.

Versus

State of Punjab....Respondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Prateek Pandit, Advocate,
for the petitioner.

Mr. Daksh Prem Azad, AAG, Punjab.

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SANJIV BERRY, J. (ORAL)

1. Status report dated 20.02.2024 filed in the form of affidavit of Deputy Superintendent of Police, Sub-Division Ajnala, Amritsar (Rural) is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
2. By way of present petition filed under Section 438 Cr.P.C, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
70	10.11.2023	379, 406, 411, 34 IPC (406 and 411 IPC added lateron)	Jhander, District Amritsar

3. Learned counsel for the petitioner submits that in compliance to the order dated 19.12.2023, the petitioner has joined the investigation.

4. During the course of hearing on 19.12.2023, following order had been passed: -

“Petitioner, aged about 71 years, through this petition filed under Section 438 Cr.P.C. prays for grant of anticipatory bail, in case FIR No.70dated 10.11.2023, under Sections 379, 406, 411, 34 IPC (Sections 406 & 411 IPC added later on), registered at Police Station Jhander, District Amritsar.

Learned counsel for the petitioner has argued that petitioner has been nominated in the FIR as an accused for the reason that he is the registered owner of the truck, which was being plied by his son Gurpreet Singh, through driver Gurchain Singh. As per allegations in the FIR, the goods were entrusted to the aforesaid two co-accused by loading the same on the truck for being delivered to RSG Export Pvt. Ltd. It is the son of the petitioner who is running the business of transportation and the recovery has been effected from co-accused Gurchain Singh (driver). The goods have also been released on superdari to the complainants. The petitioner is ready to join investigation and cooperate with the investigating agency.

Notice of motion.

Mr. G.S. Sidhu, AAG, Punjab, accepts notice on behalf of the respondent-State and waives service. He prays for time to file reply/status report.

List on 20.02.2024.

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/Investigating Officer. The petitioner shall abide by the conditions specified in Section 438(2) Cr.P.C.”

5. Learned State counsel on instructions from ASI Kuldeep Singh, P.S. Jhander, informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

6. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 19.12.2023 passed by this Court, interim bail granted vide order dated 19.12.2023 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

7. The petition stands allowed.

8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

20.02.2024
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(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |