

NARINDER SINGH ALIAS NINDER SINGH
...PETITIONER

V/S

STATE OF PUNJAB
...RESPONDENT

Present: Mr. Ashwani Bhatia, Advocate for
Mr. Neeraj Yadav, Advocate
for the petitioner.

Through instant petition, the petitioner is seeking anticipatory bail in case FIR No.183 dated 06.09.2023 registered under Sections 307, 379-B, 341, 332, 353, 186, 427, 506 and 149 of Indian Penal Code at Police Station Ajnala, Amritsar Rural.

“The present petition has been filed under Section 438 of Cr.P.C. seeking anticipatory bail to the petitioner in case bearing FIR No. 183 dated 06.09.2023 under Sections 307, 379-B, 341, 332, 353, 186, 427, 506, 148 and 149 of Indian Penal Code registered at Police Station Ajnala, Amritsar Rural.

MANISHA
2024.03.01 17:10
I attest to the accuracy and
authenticity of this
order/judgment

Per contra, learned State counsel files the status report dated 29.01.2024 by way of affidavit of Raj Kumar, PPS, Deputy Superintendent of Police, Sub-Divison, Ajnala (Rural) on behalf of respondent-State of Punjab and has opposed the prayer of grant of anticipatory bail to the petitioner. The status report is taken on record.

*In the meantime, keeping in view the law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, at the first instance, the petitioner is directed to appear before the Investigating Officer within two weeks from today and on his doing so or in the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The petitioner shall cooperate with the Investigating/Arresting Officer and abide by the conditions as provided under Section 438 (2) Cr.P.C.*

If the Investigating/Arresting Officer does not permit the petitioner to join the investigation, the petitioner would appear before the Illaqa Magistrate, who would then summon the Investigating/Arresting Officer and direct him to join the petitioner in investigation, in terms of the order of this Court.

Adjourned to 01.03.2024.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court."

3. Learned State counsel, on instructions from ASI Prabhjeet Singh, submits that in compliance of order dated 31.01.2024, passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.

4. Keeping in view the statement made by learned State Counsel the order dated 31.01.2024, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) Cr.P.C.

5. The petition is accordingly allowed.
6. Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and trial Court shall proceed without being prejudiced by observations of this Court.

March 01, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

- (i)

Whether speaking/reasoned

Yes/No
- (ii)

Whether reportable

Yes/No