

(2020) 12 P&H CK 0177

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous Petition (M) No. 25637 Of 2020

Manoj Kumar

APPELLANT

Vs

State Of Punjab

RESPONDENT

Date of Decision : 10-12-2020

Acts Referred:

Indian Penal Code, 1860 — Section 109, 323, 386, 452

Arms Act, 1959 — Section 25, 27

Code Of Criminal Procedure, 1973 — Section 438(2)

Citation : (2020) 12 P&H CK 0177

Hon'ble Judges : Raj Mohan Singh, J

Bench : Single Bench

Advocate : P.S. Dhaliwal, M.S. Nagra

Final Decision : Disposed Of

Judgement

Raj Mohan Singh, J

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail in case bearing FIR No.0124 dated 20.07.2020 registered under Sections 323, 386, 452, 109 IPC, 1860 and

25, 27 of Arms Act, 1959 at Police Station City Moga, District Moga.

On 24.09.2020, following order was passed by the Co-ordinate Bench:-

â??Status Report by way of affidavit dated 15.09.2020 of Sh. Barjinder Singh, DSP (City), Moga on behalf of the respondent/State has been filed in

the Registry. The same is taken on record. Registry will tag the StatusReport at the appropriate place.

During the course of hearing, learned Counsel for the petitioner has pointed out that only allegation against the petitioner is that he prepared the Video-

Clipping of the occurrence.

Learned State counsel wishes to verify as to whether co-accused Iqbal Singh and Sanjay Kumar are still at large or have already been apprehended.

On his request, adjourned to 10.12.2020. In the meanwhile, petitioner will join the investigation before the Investigating Officer. In the event of his

arrest, the Arresting Officer would admit him to interim bail in the present case till the next date of hearing on his furnishing adequate bail and surety

bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.

(MAHABIR SINGH SINDHU) JUDGE??

The FIR was registered at the instance of complainant Puneet Kumar with the allegations that at about 2 ½ years ago, the complainant got

materialized a deal of one house for a sum of Rs.36,80,000/- and paid the amount to Rohit Gupta. Rohit Gupta was to get the sale deed executed

within a period of one year. On 20.07.2020, Iqbal gave a call to the complainant and asked the complainant to agree with his demand. The

complainant was having an office where Iqbal Singh, Sanjay Sharma and one unknown person came there and after entering the office Iqbal Singh put

a pistol on the head of the complainant and asked for Rs.10 lakhs instead of Rs.5 lakhs. He told the complainant that an amount be paid on 15 August.

Sanjay Pandit raised a voice to fire at complainant and the third person made a video of the incident. It has been alleged that the third person was the

petitioner who allegedly made video of the occurrence.

Learned counsel for the petitioner submitted that the petitioner has joined the investigation on 26.09.2020 but Iqbal Singh and Sanjay Kumar are still at

large.

This fact has been admitted by learned State counsel on instructions from SI Sukhwinder Singh.

Now the petitioner has joined the investigation to the entire satisfaction of the Investigating Officer on 26.09.2020, therefore, the order dated

24.09.2020 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as

envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.