

102 CRM-M-31524-2023

VIJAY KUMAR VS STATE OF PUNJAB

Present: Mr. A.K. Khunger, Advocate for the petitioner.

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case bearing FIR No.99 dated 19.06.2022, registered under Sections 379-B, 411 IPC, at Police Station City Jalalabad, District Fazilka.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case; that there is a delay of 4 ½ months in lodging the FIR; that at the time of alleged occurrence, the petitioner was a juvenile and there is no other registered or decided case against the petitioner and that co-accused have been found innocent by the investigating agency.

Notice of motion for 04.09.2023.

Meanwhile, the petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.

However, anticipatory bail, granted while exercising the judicial discretion, should not operate as an inroad into the statutory investigational power of the police.

04.07.2023

Mangal Singh

(HARNARESH SINGH GILL)
JUDGE