

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-29143-2017

Date of decision: 30.11.2017

Harpal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr.P.S. Ahluwalia, Advocate,
for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed for grant of anticipatory bail to the petitioner in case FIR No.169 dated 19.07.2017 under Sections 354 and 452 of the IPC, registered at Police Station Sadar Amritsar, District Amritsar, Punjab.

This Court was pleased to pass the following order on 10.08.2017 :-

“At the very outset, learned counsel for the petitioner inter alia contends that the FIR has been lodged on 19.07.2017 after an inordinate delay of an alleged incident which took place on 13.07.2017. It is argued that a fight took place on 13.07.2017 between the complainant, complainant's mother-in-law and Harpal Singh, the petitioner herein, which was witnessed by the residents of the area, who in turn had affirmed on affidavit that the complainant has registered a false FIR against the petitioner. It is also argued that no recoveries are to be made from him and that he is ready to join investigation.

At this stage, Mr. G.B.S. Dhillon, Advocate, has

appeared and filed memo of appearance on behalf of the complainant. He undertakes to file vakalatnama on the next date of hearing.

Learned counsel for the complainant urges that the petitioner herein is in the police and is not permitting the police to carry on its investigation for which he has already filed a Criminal Miscellaneous petition seeking a direction for a fair investigation in the matter in which notice has been issued.

I have heard learned counsel for the petitioner and the complainant.

Notice of motion returnable by 30.11.2017.

Since no recoveries are to be made from the petitioner and the authorities have already been issued notice regarding conducting a fair investigation, the petitioner is directed to join investigation. Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

Learned counsel for the respondent-State submits that the petitioner has joined the investigation.

In view of the fact that the petitioner has joined the investigation, the petition is allowed and interim order dated 10.08.2017 is hereby made absolute subject to the condition that the petitioner will not tamper with evidence or hamper the investigation; will not leave India without permission of the Court and will comply with the conditions contained in Section 438(2) Cr.P.C.

30.11.2017

Satyawan

Whether speaking/reasoned

Whether reportable

(JAISHREE THAKUR)
JUDGE

Yes.

No.