

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

201-2

CRM-M-485-2021

Date of Decision:30.09.2021

OM PARKASH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Ms. Mona Goyal, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

Mr. Kashish Garg, Advocate for the complainant.

SUVIR SEHGAL, J.(ORAL)

Heard through video conferencing.

Through the instant petition filed under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No.195 dated 03.12.2020, Annexure P-1, registered under Sections 420, 406, 506, 120-B of IPC, 1860, at Police Station Nehianwala, District Bathinda.

While granting interim protection to the petitioner on 14.01.2021, a Co-ordinate Bench of this Court passed the following order:-

“Counsel for the petitioner herein prays for grant of anticipatory bail to the petitioner while inter alia contending that the matter was thoroughly investigated and an opinion was given saying that the matter has arisen out of a civil dispute. It is further argued that despite the given opinion, an FIR has been registered against the petitioner. It is contended that the petitioner is ready and willing to join the investigation.

Notice of motion.

At this stage, Ms. Rashmi Attri, AAG Punjab, who is appearing through the medium of video conferencing, accepts notice on behalf of the respondent-State and seeks time to file the reply. Similarly, Mr. Kashish Garg, Advocate accepts notice on behalf of the complainant and opposes the grant of anticipatory bail to the petitioner, while submitting that the petitioner is refusing to pay the amount as due to him.

Adjourned to 20.05.2021.

Meanwhile, the petitioner is directed to join the investigation within a period of one week and on his doing so, in the event of arrest the petitioner be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to 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 State counsel on instructions from ASI Kuldeep Singh, states that the petitioner has joined the investigation and he is no longer required for custodial interrogation. Upon further instructions, he submits that the petitioner is not involved in any other criminal case.

In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 14.01.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

30.09.2021
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No