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

**CRM-M-5733-2020
Date of decision-31.08.2021**

VISHAL SINGH**...Petitioner****Vs.****STATE OF PUNJAB****...Respondent****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Bikramjit Aroua, Advocate
for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr. DAG, Punjab.

MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.136 dated 08.08.2019 under Sections 427, 506, 452, 148 & 149 Indian Penal Code, 1860, registered at Police Station Gharinda, District Amritsar Rural. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 10.02.2020, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the civil suit was filed by complainant against the petitioner and defendant, namely, Sukhdev Singh

wherein application for grant of interim injunction was declined vide order dated 02.07.2019. It is pointed out that the plaintiff (complainant) encroached upon the public street and therefore, the commission of offence punishable under Section 452 IPC would be debatable. He submits that on the statement of father of petitioner, cross version also stands registered against the complainant and others through FIR No.136 dated 08.08.2019 under Sections 427, 506, 452 and 148 read with Section 149 IPC at Police Station Gharidna, District Amritsar Rural.

Notice of motion for 30.06.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by ASI Devinder Pal Singh does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 10.02.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

31.08.2021

Vipin kumar

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No