

CRM-M No.8399 of 2021

Date of Decision : 07.09.2021

Bhinder Singh alias Bhupinder Singh

...Petitioner

versus

State of Punjab

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr.Nand Lal Sammi, Advocate for the petitioner.
Mr. Sukhbeer Singh, AAG, Punjab.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.
2. Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.0053 dated 28.03.2019, registered under Sections 458, 324, 323, 148, 149 and 506 IPC at Police Station Sadar Patiala, District Patiala.
3. On 04.03.2021, the following order was passed:-

“ Learned counsel for the petitioner submits that the petitioner herein has been falsely implicated in the instant FIR. It is submitted that there is inordinate delay in registration of the FIR. The incident complained of pertained to dated 18.3.2019 at village Murdapur and the FIR was lodged on 28.3.2019 i.e. after 10 days of the alleged incident. It is argued that earlier the petitioner did join the investigation, however, now the police is seeking to arrest him. It is also argued that the complaint has been filed on account of a dispute between the family members and in fact a petition under Section 125 of the Code of Criminal Procedure is also pending against Sucha Singh filed by Kelash Kaur.

Notice of motion.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab, who is present through the medium of video conferencing, accepts notice on behalf of the respondent—State and seeks time to file reply.

Adjourned to 7.9.2021.

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. ”

4. Today, learned counsel for the petitioner contends while learned State counsel on instructions from *ASI Nirmal Singh*, confirms that pursuant to the order of this Court dated 04.03.2021, the petitioner joined investigation, fully cooperated with the police, was released on ad interim pre arrest bail and that his custodial interrogation is not required.

5. In view of the statement of learned State counsel, order dated 04.03.2021, passed by this Court, is made absolute. The petitioner shall abide with the conditions contained in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.

6. Petition stands *disposed of* in the aforementioned terms.

(B.S. Walia)
Judge

07.09.2021

'Rajneesh/Amit'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>