

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(238-2)

CRM-M-13536-2021

Date of Decision : September 03, 2021

Rattan

.. Petitioner

Versus

State of Punjab

.. Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Satnam Singh Thakur, Advocate, for the petitioner.

Mr. Dhruv Dayal, Sr. Deputy Advocate General, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 83 dated 25.06.2019 registered under Sections 457, 380 and 411 of the Indian Penal Code, 1860 at Police Station Satnampura, Phagwara, District Kapurthala.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by the Coordinate Bench of this Court dated 31.03.2021. Order dated 31.03.2021 is as under:-

“The case has been taken up for hearing through video conferencing.

Learned counsel for the petitioner contends that vide order dated 18.08.2020, petitioner was granted interim bail on furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. The petitioner could not appear before the Investigating Officer owing to the fact that one of the co-

accused namely Shadi Ram was declared as proclaimed offender. Under the threat of being arrested, petitioner could not appear before the Investigating Officer in compliance of order dated 14.08.2020 passed by Additional Sessions Judge, Kapurthala.

In CRM-M No.13811 of 2021, notice of motion has been issued for 17.05.2021 in similarly situated circumstances and the petitioner has been granted interim bail.

Notice of motion for 17.05.2021.

Interim order in the same terms as passed in CRM-M No.13811 of 2021.

To be heard along with CRM-M No.13811 of 2021. ”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Harjinder Singh, states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and is not required for further investigation, at this stage.

Learned counsel for the petitioner undertakes that petitioner will join investigation and also cooperate with the investigating agency in case he is required for the same in future as well.

In view of the above, the order dated 31.03.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

September 03, 2021

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No