

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

Sr. No.201

**CRM-M-21246-2021
Date of Decision: 05.10.2021**

GURINDER SINGH

... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

(through video conferencing)

Present: Mr. A. P. S. Sandhu, Advocate,
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Mr. Rakesh Sobti, Advocate
for respondent No.2-complainant.

Mr. Ghulam Nabi Malik, Advocate
for respondent No.3.

Harsimran Singh Sethi, J.(Oral)

The petitioner is seeking anticipatory bail in FIR No.131 dated 06.05.2021 under Sections 420, 465, 466, 467 and 471 of the IPC registered at Police Station Division B, District Police Commissionerate, Amritsar.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by a co-ordinate Bench of this Court dated 04.08.2021. Order dated 04.08.2021 is as under:-

“The petitioner has filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 in case FIR No.131 dated 06.05.2021 registered under Sections 420, 465, 466, 467 and 471 of the Indian Penal Code, 1860 in Police Station Division B, District Police Commissionerate Amritsar.

Learned Counsel for the petitioner has submitted that on his application inquiry is being conducted by SHO, Police Station Division-B, Police Commissionerate Amritsar.

Mr. Ghulam Nabi Malik, Advocate has appeared on behalf of

respondent No.3-Punjab Wakf Board and filed short reply and his power of attorney in the Registry which are taken on record.

Reply by the complainant has been filed in the Registry which is also taken on record.

Copies of the replies filed by respondents No.2 and 3 be supplied to learned Counsel for the petitioner.

Case is adjourned to 05.10.2021.

In the meanwhile, the petitioner is directed to join the investigation as and when called upon to do so. In the event of his arrest, the petitioner shall be released on interim anticipatory bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which he shall not be entitled to the protection of interim anticipatory bail allowed to him.

In view of order dated 18.03.2021 passed by the Coordinate Bench of this Court in CRM-M-16013-2020 titled as 'Pankaj Kumar @ Panki Vs. State of Punjab' further proceedings in the inquiry pending before SHO, Police Station Division B, Police Commissionerate Amritsar shall remain stayed.”

Learned State counsel on instructions from ASI Lakhwinder Singh, states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and no further interrogation is required 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 04.08.2021 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

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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.

(HARSIMRAN SINGH SETHI)
JUDGE

05.10.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No