

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CRM-M-24078 of 2021
Date of Decision : 03.09.2021

Balwinder Singh

..Petitioner

Versus

State of Punjab

...Respondent

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. G.S. Kaura, Advocate for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

Mr. Ravinderjeet Singh. Dhaliwal, Advocate
for the complainant.

Harsimran Singh Sethi, J. (Oral)

Petitioner is seeking anticipatory bail in FIR No.22 dated 26.05.2021 registered under Sections 420, 406, 384, 506 and 120-B IPC at Police Station NRI, District SAS Nagar, Mohali.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by a Coordinate Bench of this Court on 13.07.2021. Order dated 13.07.2021 is as under:-

“Reply filed by the State counsel be taken on record.

Mr. Ravinderjeet Singh Dhaliwal, Advocate has filed power of attorney for the complainant, which be taken on record.

Learned counsel for the petitioner has stated that the matter has since been compromised between the parties and complainant Harmanpreet Singh has submitted a written request to the police authorities for cancellation of the F.I.R in view of the settlement arrived at between the parties. A copy of order passed by Additional Sessions Judge, Mohali dated 9.7.2021 with regard to the compromise between the parties has been placed on record. Learned counsel for the complainant has conceded the factum of compromise between the parties. Learned State counsel on instructions from S.I. Shamsheer Singh has stated that in fact compromise has been arrived at as stated by learned counsel for the petitioner.

Learned counsel for the petitioner submits that the petitioner is ready and willing to join the investigation. Learned State counsel states that the petitioner be directed to do so.

Under such circumstances, the petitioner is directed to join investigation by contacting the Investigating Officer within 7 days from today and render all sort of cooperation. The petitioner has to surrender his Passport before the Investigating Officer, if he has got one, otherwise to furnish affidavit in that regard. The next date of hearing is fixed as 23.8.2021. If, in the meanwhile, he is arrested, he be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer.”

Learned State counsel, who has also joined the proceedings through video conference 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

In view of the above, the order dated 13.07.2021 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 co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

September 03, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No