

CRM-M No.24312 of 2020

Date of Decision : 09.09.2021

Gobindjit Singh @ Gobindi

...Petitioner

versus

State of Punjab

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. J.S. Thakur, Advocate for the petitioner.
Mr. Sidakmeet Singh Sandhu, 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 anticipatory bail to the petitioner in case FIR No.149 dated 28.07.2020 registered under Sections 323, 325, 452, 427, 506, 188, 269, 270, 148 and 149 IPC to which Section 459 IPC was added later on besides Section 51(B) Disaster Management Act, 2005 at Police Station Nakodar Sadar, District Jalandhar Commissionerate.

3. On 26.08.2020, the following order was passed:-

“ Inter alia submits that the petitioner is willing to get recovered the datar allegedly used by him. The complainant party has not suffered any serious injuries and the accused are willing to offer monetary compensation.

Notice of motion.

Mr. Ramdeep Pratap Singh, DAG, Punjab, accepts notice on behalf of the respondent-State and waives service.

At this stage, Mr. D.S. Bhinder, Advocate, appears on behalf of the complainant and argues that the accused persons are politically well connected. Forming an unlawful assembly at mid-night in violation of curfew orders and causing injuries is a serious matter. There is, however, no denial of the fact that parties are known to each other and the dispute is on account of village factions.

In view of above, I deem it appropriate to direct the petitioner to join investigation with the Investigating Officer on 9.9.2020 at 10.00 a.m. and cooperate therewith. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/SHO concerned subject to his compliance of the conditions enshrined under Section 438(2) Cr.P.C.

Adjourned to 25.11.2020.

Learned counsel for the complainant may get instructions regarding compensation.

It is clarified that in case, the petitioner fails to get the recovery effected, his petition would be liable to be dismissed.”

4. Today, learned counsel for the petitioner contends while learned State counsel on instructions from *ASI Tirath Ram*, confirms that pursuant to the order of this Court dated 26.08.2020, 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 and that in the circumstances, he does not wish to file reply.

5. In view of the statement of learned State counsel, order dated 26.08.2020, passed by this Court, is made absolute. The petitioner shall abide with the conditions enumerated 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

09.09.2021

'Rajneesh/Amit'

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