

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(206)

CRM No. M-34302 of 2021
Date of Decision : 09.11.2021

Pritpal Singh and another

....Petitioners

Versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Shivam Joshi, Advocate for
Mr. Karanjit Singh, Advocate for the petitioners.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

Harsimran Singh Sethi, J. (Oral)

The petitioners are seeking anticipatory bail in FIR No. 56 dated 05.08.2021 registered under Sections 452, 323, 324, 120-B, 148 and 149 IPC at Police Station Purana Shalla, District Gurdaspur.

Learned counsel for the petitioners contends that the petitioners have joined investigation in terms of order dated 24.08.2021 passed by this Court. Order dated 24.08.2021 is as under:-

“The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioners in respect of FIR No.56 dated 05.08.2021 registered under Sections 452, 323, 324, 120-B, 148 and 149 IPC at Police Station Purana Shalla, District Gurdaspur.

Learned counsel for the petitioners argues that the present case is a dispute between the father, daughter and son-in-law regarding the land, which initially the complainant-

father sold to his daughter and now wants the same back on one pretext or the other.

Notice of motion for 09.11.2021.

Mr. Saurav Khurana, DAG, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition accepts notice on behalf of respondent-State.

Learned State counsel on instructions from ASI Daljit Singh submits that out of the total 05 injuries sustained by the complainant, 03 injuries are simple in nature and in respect of the other two, the X-ray report is yet to come.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

In the present case, simple injuries have been sustained by the complainant and that too at the hands of unidentified persons stated to have been sent by the petitioners. The dispute is between father, daughter and son-in-law and nothing is to be recovered from the petitioners. Keeping in view said facts, purpose of investigation can be achieved, if petitioners are directed to join and cooperate in investigation. Learned counsel for the petitioners submits that the petitioners are ready to join and cooperate in the investigation. Hence, petitioners have made out a case for the grant of benefit of anticipatory bail.

The petitioners are directed to join the investigation forthwith. In the event of their arrest, they shall be released on interim bail to the satisfaction of the Arresting Officer/Investigating Officer on their furnishing bail bonds/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer subject to the following conditions:-

(i) That they shall make himself available for interrogation by the police officer as and when required.

(ii) That they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing the said facts to the Court or to any police officer.

(iii) That they shall not leave India without prior permission of the Court.

(iv) That they shall abide by all the conditions as enshrined under Section 438(2) Cr.P.C.”

Learned State counsel on instructions from ASI Lekh Raj states that in terms of the order of this Court reproduced before, the petitioners have joined the investigation and no further interrogation of the petitioners is required at this stage.

In view of the above, the order dated 24.08.2021 granting interim bail to the petitioners is made absolute.

However, the petitioners shall abide by the conditions stipulated under Section 438(2) Cr.P.C. They 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 petitioners are required for the investigation but are not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

November 09, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes
Whether reportable? No