

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-47496-2019 (O&M)
Date of Decision:-13.9.2021

Suraj Parkash ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ritesh Pandey, Advocate for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab,
assisted by ASI Surinderpal.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.24 dated 18.6.2019 at Police Station Pojewal, District SBS Nagar under Sections 353, 186, 427, 148, 149, 506, 341, 289 of Indian Penal Code, wherein offences under Sections 325 and 323 IPC were added later on.
2. At the time of issuance of notice of motion on 7.11.2019, the following order was passed:

“It is contended by counsel for the petitioner that the case against the petitioner is totally concocted. The petitioner is not even

named in the FIR. It is not even disputed by the complainant that they had gone to the farm house of the co-accused of the petitioner; along with a wine contractor of the area. Although the police claim that they had a secret information that the petitioner was dealing in illicit liquor, however, nothing was recovered by the police from the said place. Therefore, it is clear that the police had gone at the place of the petitioner without any reason and only to harass him on the asking of the said wine contractor. Still further, it is submitted that the police and the said wine contractor have caused injuries to the co-accused/owner of the said Farm.

Notice of motion for 19.03.2020.

On asking of the Court, Mrs. Amarjit Kaur Khurana, DAG, Punjab, accepts notice on behalf of the State.

Learned counsel for the petitioner is directed to supply copy of the paper book to learned State counsel during the course of the day.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds/surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3. Learned State counsel, upon instructions from ASI Surinderpal, has informed that pursuant to interim directions the petitioner has since joined investigation and is not required for any custodial interrogation.
4. In view of the aforestated position, wherein the petitioner is not stated to be named in FIR and has since joined investigation, the petition is accepted and the interim directions issued by this Court vide order dated 7.11.2019 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the

Investigating Officer and shall also abide by the conditions as provided under
Section 438(2) Cr.P.C.

13.9.2021
pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No