

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.54436 of 2019
Date of Decision : 10.12.2021

Sukhjinder Singh

.. Petitioner

Versus

State of Punjab and another

.. Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Karanvir Hooda, Advocate for
Mr. Harkesh Manuja, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

Mr. Vicky Kaushal, Advocate
for respondent No.2.

HARSIMRAN SINGH SETHI J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.85, dated 20.11.2019, under Sections 323, 324, 326 and 506 read with Section 34 IPC, registered at Police Station Aur, District SBS Nagar.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by this Court dated 19.12.2019. Order dated 19.12.2019 is as under:-

“Prayer in this petition is for grant of anticipatory bail to the petitioner in case FIR No.85 dated 20.11.2019 registered under Sections 323, 324, 326 and 506 read with Section 34 of the Indian Penal Code, 1860 at Police Station Aur, District SBS Nagar.

Learned Counsel for the petitioner has submitted that the FIR in question is an off-shoot of the civil dispute pending between complainant-Pal Singh and the father of the petitioner. The petitioner has been falsely implicated at the instance of the

complainant-Pal Singh to harass and pressurize the father of the petitioner to withdraw the claim made in the civil suit. Co-accused namely Sohan Singh, Kuldeep Singh and Jabanpreet Singh have already been granted anticipatory bail by learned Sessions Judge, SBS Nagar. The petitioner is ready to join the investigation.

Notice of motion.

On the asking of the Court, Mr. Sandeep Singh Deol, D.A.G. Punjab accepts notice on behalf of the respondent-State. Copy of the paper book has been supplied to the learned State counsel, who seeks time to complete his instructions.

Adjourned to 13.02.2020.

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 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 benefit of protection of interim bail allowed to him.”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Nirmal Singh, Police Station Aur, 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 19.12.2019 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 cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

December 10, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

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