

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-19546-2022
Date of decision : 20.07.2022

Joginder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Ms.Navreen Kaur, Advocate for
Mr.Hakam Singh, Advocate
for the petitioner.

Mr.Sarabjit Singh Cheema, AAG, Punjab.

Mr.K.S. Brar, Advocate
for the complainant.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.122 dated 09.04.2022 registered under Sections 420, 506, 120-B IPC at Police Station City Faridkot, District Faridkot.

On 09.05.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia contends that in the present case, the petitioner is 72 years old maternal grandfather of accused No.1 and there is no allegation in the entire FIR either with respect to cheating or any criminal intimidation against the petitioner and still, the complainant has chosen to implicate the present petitioner in the said case. It is further contended that in pursuance of notice issued under Section 41-A of Cr.P.C., the petitioner had appeared and fully cooperated with the investigation and thus, custodial interrogation of the

petitioner is not required.

Notice of motion for 20.07.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal bonds and 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.

09.05.2022”

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Gurdit Singh has submitted that the petitioner has joined investigation on 18.05.2022 and is not required for further investigation.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 09.05.2022, and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and the interim order dated 09.05.2022 is made absolute.

Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(VIKAS BAHL)
JUDGE

July 20, 2022

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No