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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-36588-2022

Date of Decision: 09.11.2022

Balkar Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Sarbjit Singh Khaira, Advocate
for the petitioner.

Mr. Harjinder S.Sidhu, AAG, Punjab.

HARSH BUNGER J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.124 dated 30.07.2022, under Sections 457, 380 and 511 IPC, registered at Police Station Division No.2, District Pathankot.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order dated 22.08.2022, passed by a co-ordinate Bench of this Court, which reads as under:-

“The petitioner herein seeks the relief of pre-arrest bail in the criminal case arisen out of the FIR bearing No.0124 dated 30.07.2022 registered at Police Station Division No.2, District Pathankot, under Sections 457, 380 and 511 IPC.

Learned counsel for the petitioner, inter-alia, contends that the petitioner has no concern with the alleged crime and he has been falsely roped in as an accused in this case and moreover, he is not involved in any other criminal case and is also ready to join in the

investigation as and when so required.

Notice of motion.

Mr. Iqbal Singh Mann, learned Deputy Advocate General, Punjab, who has appeared in this case on behalf of both the respondents in pursuance of the copies of the instant petition having been sent to the respondent-State in advance, accepts the notice. He seeks some time to get proper and complete instructions in the present matter from the quarter concerned and if deemed necessary, then to file the status-report also.

Adjourned to 09.11.2022.

Meanwhile, in the event of his arrest, the petitioner shall be released on interim bail subject to his furnishing the requisite personal and surety bonds to the satisfaction of the Arresting/Investigating Officer.

However, the petitioner shall join in the investigation as and when required/called upon to do so and shall also strictly abide by all the conditions as laid down in Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from ASI Balkar Singh, states that in terms of said order dated 22.08.2022, the petitioner has joined the investigation on 04.10.2022.

Learned counsel for the petitioner undertakes that the petitioner will appear before the investigating officer as and when called upon to do so and will cooperate with the investigating agency, in case he is required for the same in future as well.

In view of the above, order dated 22.08.2022 granting interim bail to the petitioner is made absolute. However, he shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall remain present before the investigating officer 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 present petition stands accordingly disposed of.

09.11.2022

Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No