

204 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARHCRM-M-43119-2021
Date of Decision 14.03.2022

BAHADUR SINGH AND ANOTHERPetitioners

VS

STATE OF PUNJABRespondent

CORAM:- HON'BLE MR JUSTICE VIVEK PURI

Present:- Mr. Rai Singh Chauhan, Advocate for the petitioners.

Ms. Ruchika Sabherwal, AAG, Punjab.

VIVEK PURI, J. (ORAL)

Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioners in case FIR No. 90 dated 08.09.2021 registered under Sections 451/354-A/323 and 34 IPC, 1860, (Sections 354, 354-B and 477 IPC added lateron) GD No. 33 dated 27.09.2021 at Police Station Talwara, District Hoshiarpur.

On 12.10.2021 following order was passed:-

“Counsel for the petitioners herein prays for grant of anticipatory bail to the petitioners, while contending that there is a civil dispute regarding land, which is pending inter se the parties The matter was initially compromised and it was agreed that the complainant party would withdraw from the land, which is in the ownership of the petitioners herein as per jamabandi for the year 2018-19. It is argued that the petitioners herein are read to join the investigation and cooperate, as their custodial interrogation would not be required.

*Notice of motion for 14.03.2022.**At this stage, Mr. A.S. Gill, Sr. DAG Punjab, who is*

present in court, accepts notice on behalf of the respondent-State.

Meanwhile, the petitioners are directed to join the investigation within a period of one week and on their doing so, in the event of arrest the petitioners be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall continue to 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. Connect with CRM-M-42614-2021 .”

Learned counsel for the petitioner contends that the petitioner has joined the investigation and his custodial interrogation is not required.

On the instructions of ASI Narender Singh, learned State counsel states that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the aforesaid submissions, the order dated 12.10.2021 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.

The petition is allowed.

14.03.2022
Monika

(VIVEK PURI)
JUDGE

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