

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

(Sr. No. 203)

CRM-M No.44162 of 2021

Date of decision : 25.01.2022

Khetpal

.....Petitioner

Versus

State of Punjab and another

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. L. S. Sidhu, Advocate for the petitioner.

Ms. Rashmi Attri, AAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.164 dated 21.11.2020 registered under Sections 458, 379-B, 324, 323, 506, 148, 149, 120-B IPC (Section 326 IPC added later on) at Police Station Bahawala, district Fazilka.

On 26.10.2021, this Court had passed the following order : -

“The matter has been taken up through video conferencing.

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in this case as the complainant was inimical towards him; even if the case of the prosecution is taken as the gospel truth though vehemently denied no specific injury is attributed to the petitioner; a perusal of the MLR reveals only one injury on the person of the injured which has been specifically attributed to co-accused Parhlad; no

further recovery is required to be made from the petitioner and that the petitioner is ready and willing to join the investigation as and when called by the investigating agency.

Notice of motion for 24.01.2022.

Mr. Saurav Khurana, DAG, Punjab, accepts notice on behalf of the respondent No.1-State and prays for time to argue the matter.

In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438 (2) Cr.P.C, in the event of his arrest in FIR No.164 dated 21.11.2020 registered under Sections 458, 379-B, 324, 323, 506, 148, 149, 120-B IPC (Section 326 IPC added later on) at Police Station Bahawala, District Fazilka, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined the investigation; cooperated with the investigating agency and that his custodial interrogation is not required by the State.

In view of the above submissions noted in the afore-quoted order and the statement made at the bar by the learned State counsel, the interim order of this Court dated 26.10.2021, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

25.01.2022

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No