

203 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-48368-2021
Date of Decision: 03.02.2022

Arun Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. A.P.S. Tung, Advocate,
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

Mr. Sartaj Singh Thakur, Advocate,
for the complainant.

(Through Video Conferencing)

HARSIMRAN SINGH SETHI J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.151, dated 04.08.2021, under Sections 420 and 120-B of the IPC, registered at Police Station City Hoshiarpur, District Hoshiarpur.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order dated 18.11.2021, passed by a co-ordinate Bench of this Court, which is as under:-

“Through this petition under Section 438 Cr.P.C. prayer has been made for grant of anticipatory bail to the petitioner in FIR No.151 dated 04.08.2021 registered under Sections 420 and 120-B IPC at Police Station City Hoshiarpur, District Hoshiarpur.

Learned counsel for the petitioner inter alia contends that the petitioner has no concern with the allegations mentioned in the FIR. The offence is triable

by the Judicial Magistrate Ist Class. The matter has been compromised between the complainant and the petitioner. Therefore, custodial interrogation of the petitioner is not required.

Notice of motion.

Mr. C.L. Pawar, Sr. Deputy Advocate General, Punjab, accepts notice on behalf of the respondent-State.

At this stage, Mr. Sartaj Singh Thakur, Advocate, appears on behalf of the complainant and submits that he has no objection if the petitioner is granted anticipatory bail as the parties have compromised the matter.

List on 01.02.2022.

In the meantime, the petitioner is directed to appear before the Investigating Officer within a period of 10 days to join investigation and he shall be released on interim bail on furnishing bail/surety bonds subject to the following conditions:-

- 1. He shall make himself available for interrogation by a police officer as and when required;*
- 2. He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and*
- 3. He shall not leave India without previous permission of the Court.”*

Learned State counsel, who has also joined the proceedings through video conferencing, on instructions from ASI Gurdeep Singh, states that in terms of the order of co-ordinate Bench 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 18.11.2021 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. 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 shall be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

03.02.2022

Apurva

(HARSIMRAN SINGH SETHI)
JUDGE

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