

(204)

2023:PHHC:067860

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-446 of 2023

Date of Decision: May 11, 2023

Harpal Singh alias Pala Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Saurav Saini, Advocate for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 438 Cr.P.C has been made for anticipatory bail to the petitioner in case FIR No.0335 dated 04.07.2020 registered under Sections 353, 332, 341, 186, 506, 34 IPC at Police Station City Barnala, District Barnala.

2. On 11.01.2023, the following order was passed by this Court:-

“Petitioner seeks anticipatory bail by way of this petition filed under Section 438 Cr.P.C in case FIR No.0335 dated 04.07.2020 registered with P.S. City Barnala under Sections 353, 332, 341, 186, 506, 34 IPC. It is alleged that the petitioner along with co-accused attacked police official, namely, ASI Bholu Singh on 04.07.2020. Co-accused Baljit Singh caught hold of the uniform of the complainant and torn it. Petitioner and others are alleged to have hit the punches on his face. It is submitted by the petitioner that co-accused Jagdish Singh

alias Deesa Singh was allowed interim anticipatory bail vide order dated 29.09.2021 in CRM-M-40719 of 2021 and after joining the investigation, that order was made absolute on 06.12.2021. Other co-accused, namely, Baljit Singh is on regular bail.

Notice of motion.

Mr. R.S. Khaira, DAG, Punjab, who is present in Court, accepts notice on behalf of the respondent- State. It is submitted by learned State Counsel that Proclaimed Offender proceedings have already been initiated against the petitioner. However, factual position is not disputed that similarly placed coaccused Jagdish Singh has already been granted the benefit of anticipatory bail by this Court whereas other co-accused is on regular bail.

Having noticed the factual position as above, the petitioner is directed to join the investigation forthwith. In the event of arrest of the petitioner, the petitioner shall be admitted to interim bail to the satisfaction of the Investigating Officer/ Arresting Officer. However, the petitioner shall make himself available for investigation as and when required by the Investigating Officer; he shall not make any inducement directly or indirectly to any person acquainted with the facts of the case nor he shall leave the country without prior permission of the Court.

Adjourned to 10.03.2023.”

3. It is stated by learned counsel for the petitioner that in compliance with the order dated 11.01.2023, petitioner had already joined the investigation.

4. On the last date of hearing, i.e. 10.03.2023, learned State Counsel was unable to confirm as to whether the petitioner has joined the investigation or not as Investigating Officer of the case had not come.

Today, again, same is the situation. Investigating Officer is not present so as to assist the State Counsel. There is no justification for further adjournment. The order dated 11.01.2023 is hereby made absolute.

5. Disposed of.

May 11, 2023

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(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking:	Yes/No
Whether reportable:	Yes/No