

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

210

CRM-M-3155-2023 (O&M)

Date of decision: 25.05.2023

Pardeep Singh Sarpanch

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Angad Chahal, Advocate for the petitioner

Mr. Manipal Singh Atwal, DAG Punjab

Mr. Amit Arora, Advocate for the complainant

AMAN CHAUDHARY. J.

1. On 28.02.2023, this Court had passed the following order:-

“Learned counsel submits that as a matter of fact there was a dispute that had arisen on account of Rs.200/- that was being charged by the complainant in this case on being objected to by villagers, a scuffle ensued. The petitioner being Sarpanch intervened in the matter and falsely implicated in the FIR. In a complaint filed before the learned Illaqa Magistrate, Tarn Taran by the injured by relying on the MLR alleging that the complainant in FIR and two others persons including her husband have caused injuries to Harpartap Singh, a physically handicap villager. Learned counsel submits that the statement of PWs Harpartap Singh, Inderjit Singh and Hardeep Singh have been recorded on 06.02.2023. She submits that it is a case of version and cross-version.

Learned counsel for the complainant and State pray for time to seek instructions in view of the aforesaid

Adjourned to 20.04.2023.

The arrest of the petitioner is stayed only till the next date of hearing.”

On 20.04.2023, the following order was passed:-

“Learned counsel submits that the petitioner is ready to join investigation and shall cooperate with the investigating agency.

The petitioner is directed to join the investigation on or before 26.04.2023. In the event of arrest of the petitioner, he shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance enshrined under Section 438(2) Cr.P.C.

However, it is clarified that if the petitioner does not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.

Adjourned to 25.05.2023.”

2. Learned counsel submits that in pursuance of the aforesaid orders, the petitioner has not only joined investigation but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.

3. Learned State counsel on instructions from SI Kulwant Singh affirms the factum of joining the investigation by the petitioner and cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.

4. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the orders dated 28.02.2023 and 20.04.2023 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr.P.C.

5. However, it is made clear that if the petitioner fails to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to him.

(AMAN CHAUDHARY)
JUDGE

25.05.2023

S.Sharma(syr)

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No