

2023:PHHC:057714
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-6528-2023 (O&M)
Date of decision: 24.04.2023

GURLAL SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. GBS Dhillon, Advocate
for the petitioner.

Mr. Manipal Singh Atwal, DAG Punjab.

Ms. Gurpreet Kaur, Advocate for the complainant.

AMAN CHAUDHARY. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail in FIR No.005 dated 12.01.2023, registered under Sections 420, 406, 465, 467, 468, 471, 506 of the IPC at Police Station Grain Market, Patiala, District Patiala.

On 16.03.2023, this Court had passed the following order:-

“The present petition has been filed under Section 438 Cr.P.C. For grant of pre-arrest bail to the petitioner in case FIR No.05 dated 12.01.2023, registered under Sections 420, 406, 465, 467, 468, 471, 506 of the IPC at Police Station Grain Market, Patiala, District Patiala.

Learned counsels for the parties submit that dispute stands amicably settled between the parties before the Mediation and Conciliation Centre of this Court and the settlement is in the process of being reduced into writing for which time is sought. Learned counsel further submits that the petitioner is ready and willing to join investigation as and when required by the investigating agency.

Notion of motion.

Parties are directed to appear before the Mediation and Conciliation Centre of this Court on 22.03.2023.

The petitioner is also directed to join the investigation on or before 24.03.2023. 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 24.04.2023.

Report of the Mediator be filed on or before the next date of hearing.”

Learned counsel for the petitioner submits that in pursuance of order dated 16.03.2023, of this Court, the petitioner has not only joined investigation but has 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.

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

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 order dated 16.03.2023 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C

However, it is made clear that if the petitioner fails to join and cooperate with the investigation 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

April 24, 2023

M.Kamra

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