

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
205

CRM-M-10783-2023

Date of Decision: 11.09.2023

Tulsi Ram

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. M.K. Arya, Advocate for the petitioner.

Mr. Jaswinder Singh Arora, DAG, Punjab.

NIDHI GUPTA, J. (ORAL)

The petitioner has filed the present 1st petition under Section 438 Cr.P.C. seeking anticipatory bail in case FIR No. 05 dated 27.01.2023 (Annexure P-1) registered under Sections 323, 354 and 506 IPC at Police Station Ghanie Ke Banger (Batala).

On 01.03.2023, this Court had passed the following order :-

“The present petition is for grant of anticipatory bail in the FIR No.05 dated 27.01.2023, registered under Sections 323, 354 and 506 of IPC at Police Station, Ghanie Ke Banger, Batala (Annexure P-1).

Learned counsel for the petitioner submits that the entire allegations levelled in the FIR are concocted and it is only a dispute with regard to the effect that the husband of the complainant has been serving in the Temple for the last 40 years and there is a dispute between him and the

petitioner, as the petitioner is the Pujari in the said Temple. As per the contention of the learned counsel for the petitioner, there are CCTV footages to bring out the truth and it was a small brawl, which apparently took place between the parties over switching off the electricity of the Temple at 10.30 a.m.

Notice of motion.

Mr. Arun Gupta, AAG, Punjab, who is assisted by ASI Joginder Singh, accepts notice on behalf of the respondent-State. He is directed to file the status report before the next date of hearing.

Adjourned to 22.05.2023.

In the meanwhile, the petitioner shall join investigation on 09.03.2023 at 10:00 A.M. before the Investigating Officer and cooperate with the Investigating Agency, even thereafter.

In the event of arrest, the petitioner be released on interim bail subject to furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer and the petitioner shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner submits that in compliance of the order dated 01.03.2023 passed by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Baldev Singh, states that in terms of the order passed by this Court, reproduced above, the petitioner has joined the investigation; and is co-operating with the investigating agency, and no further interrogation is required, at this stage.

In view of the above, the order dated 01.03.2023 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 the investigation and cooperate with the investigating agency in case he is required for the same in future 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 the petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

11.09.2023
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(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No