

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

201

CRM-M-13225-2022
Date of decision: 21.04.2023

VARINDER SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Bipan Ghai, Sr. Advocate with
Mr. Nikhil Ghai and Ms. Malini Singh, Advocates
for the petitioner.

Mr. H. S. Sullar, Sr. DAG, Punjab.

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. 32 dated 09.02.2022, under Section 420 IPC registered at Police Station Canal Colony Bathinda, District Bathinda.

On 30.03.2022, this Court had passed the following order:-

- “1. Notice of motion.
2. Mr. Bhupender Beniwal, AAG, Punjab, waives service on behalf of the respondent-State.
3. List on 18.5.2022.
4. In the meantime, and, till further orders, the bail applicant-petitioner may not be arrested, by the arresting officer. However, subject to the bail applicant-petitioner furnishing personal and surety bonds in the sum of Rs. 25,000/- each, to the satisfaction of the

arresting officer. The bail applicant shall also give an undertaking before the arresting officer, that as and when he is summoned through a written Hukamnama, he shall ensure his rendering cooperation to the investigating officer.”

Learned counsel for the petitioner submits that in pursuance of the above order, 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.

Learned State counsel on instructions 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 30.03.2022 granting interim bail to him, are 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

21.04.2023
Mehak

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