

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

276

**CRM-M-13144-2023
Date of decision: 20.04.2023**

PARBHDEEP SINGH @ CHINTOO

....Petitioner(s)

Versus**STATE OF PUNJAB**

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY*********

Present : Mr. Yashpal Thakur, Advocate
for the petitioner.

Mr. I. P. S. Sabharwal, 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. 02 dated 06.01.2022, under Sections 341, 323, 324, 379, 506, 427, 148 and 149 IPC (Sections 325 and 307 added later on) (now Section 307 IPC deleted) registered at Police Station Amloh, District Fatehgarh Sahib.

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.02 dated 06.01.2022, registered under Sections 341, 323, 324, 379, 506, 427, 148, 149 of the IPC and Sections 325 and 307 of the IPC added later and Section 307 IPC deleted at Police Station Amloh, District Fatehgarh Sahib.

Learned counsel contends that it is case of version and cross-version inasmuch as co-accused Sukhpreet Singh @ Sukhi had made a complaint that it was the complainant party who had attacked them which has been registered as DDR No.44 dated 17.01.2022, Annexure P-4. In the FIR, there is no specific attribution to the petitioner of having caused any injury. However, in the statement of injured Sukhvir Singh, specific injury of having caused to him on the ankle has been attributed to him. Besides another FIR between the parties lodged a day prior, the petitioner is not involved in any other case. Learned counsel submits that the petitioner is ready and willing to join investigation as and when required by the investigating agency.

Notice of motion.

At the asking of the Court, Mr. Manipal Singh Atwal, DAG Punjab accepts notice on behalf of respondent-State.

Meanwhile, the petitioner is 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 19.04.2023.”

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 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

20.04.2023
Mehak

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