

(212)

2023:PHHC:090691

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-13886 of 2023

Date of Decision: July 19, 2023

Iqbal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Ajay Pal Singh Gill, Advocate for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

By way of this petition filed under Section 438 Cr.P.C., petitioner has prayed for grant of anticipatory bail in case FIR No.0031 dated 21.02.2023 registered under Sections 409, 379 IPC and Sections 3 and 4 of Public Property (Prevention of Damage) Act, 1985 at Police Station Sadar Faridkot.

On 20.03.2023, the following order was passed by this Court:-

“The petitioner has filed the present petition under Section 438 of the Cr.P.C. for grant of anticipatory bail in case FIR No.31 dated 21.02.2023 registered under Sections 3 and 4 of the Public Property (Prevention of Damages) Act, 1985 at Police Station Sadar, Faridkot.

Learned counsel for the petitioner contends that the petitioner was elected as Sarpanch of Village Pipli on 30.12.2018 for a tenure of 05 years. The Panchayat has

passed a resolution dated 08.07.2021 against certain persons to the effect that they had taken illegal possession of the Panchayat land and damaged the panchayat property. The petitioner has been falsely implicated in the present case on the statement made by Jasvir Singh, Namberdar and Gurvinder Singh @ Govinda who are opponent of the petitioner. Civil litigation is also pending before the Civil Court, Faridkot and Gurvinder Singh @ Govinda is also impleaded as defendant No.3 in the civil Suit. Petition before DDPO, Faridkot regarding illegal possession over the panchayati land and for the theft of trees has also been filed. The petitioner is already ready and willing to join the investigation.

Notice of motion.

On the asking of the Court, Mr. Jaspal Singh Guru, Asstt. A.G., Punjab, who is present in the Court, accepts notice on behalf of the respondent-State and seeks time to file reply.

Adjourned to 19.07.2023.

In the meanwhile, the petitioner is directed to join the investigation and appear before the Investigating Officer within 10 days from today and on his doing so, the petitioner shall be released on interim anticipatory bail subject to his furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall also

abide by the conditions as specified under Section 438(2) of the Cr.P.C.”

On instructions from ASI Jagtar Singh, learned State Counsel submits that petitioner has joined the investigation in compliance of the order dated 20.03.2023 and he is no longer required for further investigation.

In view of the above, order dated 20.03.2023 granting interim anticipatory bail to the petitioner is hereby made absolute.

Disposed of.

July 19, 2023

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(DEEPAK GUPTA)
JUDGE

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