

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

212

CRM-M-17256-2023 (O&M)

Date of decision: 26.07.2023

Tarun Gill

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr.Monty Goyal, Advocate for the petitioner

Mr. Manipal Singh Atwal, DAG Punjab

AMAN CHAUDHARY. J.

1. On 12.04.2023 and 22.05.2023, this Court had passed the following orders:-

“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.158 dated 11.12.2020, registered under Sections 302, 148, 149, 120-B IPC at Police Station Division No.2, District Jalandhar.

Learned counsel contends that the fatal injury received by the deceased was on his neck that was attributed to co-accused Vishal. The petitioner was neither named in the FIR nor his name surfaced during the investigation. It is upon an application having been filed under Section 319 CrPC that he has been summoned along with Prabhmeet Singh, who has been granted interim anticipatory bail vide order dated 02.12.2022, Annexure P-5. He 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 19.04.2023. 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 22.05.2023. ”

“Learned counsel for the petitioner submits that the Investigating Officer was unable to make him join proceedings in terms of order dated 12.04.2023, the matter being before the learned trial Court.
The petitioner is directed to surrender before the trial Court on or before 29.05.2023, upon so doing, he be released on bail, subject to his furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.
Adjourned to 26.07.2023.”

- 2. Learned counsel submits that in pursuance of aforesaid orders, the petitioner surrendered before the trial Court and has been granted bail.
- 3. Learned State counsel on instructions from ASI Gopal Singh affirms that aforesaid factum.
- 4. In view of the above, order dated 12.04.2023 and 22.05.2023 are hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr.P.C.

(AMAN CHAUDHARY)
JUDGE

26.07.2023
S.Sharma(syr)

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