

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

220

CRM-M-20585-2023

Date of decision: 05.07.2023

Arshdeep Singh @ Sabhi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Vishal Thakur, Advocate
for the petitioner

Mr. Manipal Singh Atwal, DAG, Punjab

Mr. Sudhir Rana, Advocate
for the complainant

AMAN CHAUDHARY. J.

1. On 26.04.2023, 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.283 dated 02.12.2020, registered under Sections 323, 324, 452, 506, 427, 148, 149 IPC (Section 326 IPC added later on) at Police Station Dasuya, District Hoshiarpur.

Learned counsel contends that the allegation against the petitioner is of having caused simple injury and not grievous injury on the person of Kashmir Singh. There is a compromise that has been arrived at between the parties, Annexure P-1. He is not involved in any other case and 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.

Mr. Sudhir Rana, Advocate appears on behalf of the complainant and affirms the factum of compromise having been arrived at between the parties and has no objection in case the petitioner is granted interim anticipatory bail.

Meanwhile, the petitioner is directed to join the investigation on or before 03.05.2023. 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 05.07.2023. ”

2. Learned counsel 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.
3. Learned State counsel on instructions affirms the factum of joining the investigation by the petitioner and cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.
4. 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 26.04.2023 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr.P.C.
5. However, it is made clear that if the petitioner fails to join and cooperate with the investigating 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

05.07.2023
Mehak

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No