

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

(211)

CRM-M-20650-2023

Date of Decision : July 20, 2023

Balkar Singh and another**.. Petitioners****Versus****State of Punjab****.. Respondent****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. P.K. Garg, Advocate, for the petitioners.

Mr. Jaswinder Singh Arora, Deputy Advocate General,
Punjab.

Mr. J.S. Bhinder, Advocate, for the complainant.

HARSIMRAN SINGH SETHI J. (ORAL)

1. The petitioners are seeking anticipatory bail in cross case vide DDR No.35 dated 29.09.2022 registered under Sections 323, 324, 341, 148 and 149 of the IPC (Section 326 IPC added later on) at Police Station Dirba in FIR No.117 dated 28.09.2022 registered under Sections 323, 325, 336, 506, 148 and 149 of the IPC and Sections 25, 54, 59 of the Arms Act, 1959 at Police Station Dirba, District Sangrur.

2. Learned counsel for the petitioners contends that the petitioners have joined investigation in terms of order passed by the Coordinate Bench of this Court dated 26.04.2023. Order dated 26.04.2023 is as under:-

“Learned counsel for the petitioner inter alia submits that present is a case of version or cross-version and thus, aggressor is yet to be ascertained during trial.

Notice of motion for 20.07.2023.

Mr. Tarun Aggarwal, Sr. DAG, Punjab and Mr. J. S. Bhinder, Advocate, accept notice on behalf of respondent-State and complainant respectively.

Meanwhile, the petitioner shall join the investigation as and when required/called upon to do so and in the event of his arrest, the petitioner shall be released on interim bail to the satisfaction of Arresting/Investigating officer and shall also strictly abide by all the conditions as laid down in Section 438(2) Cr.P.C. ”

3. Learned State counsel, on instructions from ASI Suresh Kumar, states that in terms of the order dated 26.04.2023 of the Coordinate Bench of this Court reproduced hereinbefore, the petitioners have joined the investigation and no further interrogation of the petitioners is required at this stage.

4. Learned counsel for the petitioners undertakes that petitioners will join investigation and also cooperate with the investigating agency in case they are required for the same in future as well.

5. In view of the above, the order dated 26.04.2023 granting interim bail to the petitioners is made absolute.

6. However, the petitioners shall abide by the conditions stipulated under Section 438(2) Cr.P.C. They shall also join and cooperate in the investigation as and when called upon to do so.

7. In case at any given point of time hereinafter, it is felt by the investigating agency that petitioners are required for the investigation but are not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

8. The present petition stands allowed.

July 20, 2023
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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