

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

215

CRM-M-21677-2023

Date of decision: 06.07.2023

Bhag Singh and another

....Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Amrik Singh, Advocate
for the petitioners

Mr. Manipal Singh Atwal, DAG, Punjab

AMAN CHAUDHARY. J.

1. On 01.05.2023, 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 petitioners in case of FIR No.30 dated 18.05.2022, registered under Sections 323, 379-B, 385, 148 and 149 IPC at Police Station Sadar Rupnagar, District Rupnagar.

Learned counsel contends that the petitioners have been falsely implicated in the case and were not involved in the commission of the offence of snatching. However, a compromise has been arrived at between the parties dated 31.03.2023, Annexure P-3, pursuant to which a petition bearing CRM-M-17481- 2023 has been filed by the petitioners along with co-accused seeking quashing of FIR on the basis of compromise, wherein this Court had directed the parties to record their statements. He submits that co-accused Narender Singh and Paramjeet Singh have already been granted anticipatory bail by this Court vide order dated 26.04.2023 (Annexure P-6). He further submits that the petitioners are 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 petitioners are directed to join the investigation on or before 08.05.2023. In the event of arrest of the petitioners, they shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance of

the conditions as 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 06.07.2023.”

2. Learned counsel submits that in pursuance of the above order, the petitioners have not only joined investigation, but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioners to appear, they shall make himself available without demur.

3. Learned State counsel on instructions affirms the factum of joining the investigation by the petitioners and cooperating with the investigating agency. He also submits that at this stage, the petitioners are 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 petitioners is allowed and the order dated 01.05.2023 granting interim bail to them, 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 petitioners fail 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 them.

(AMAN CHAUDHARY)
JUDGE

06.07.2023
Mehak

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