

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

206

CRM-M-29030-2023

Date of Decision: 18.08.2023

Kulwinder Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Jatinderpal Singh, Advocate for the petitioner.

Mr. Pankaj Khullar, AAG, Punjab.

NIDHI GUPTA, J. (ORAL)

The petitioner is seeking anticipatory bail in case FIR No. 0062 dated 24.03.2023 (Annexure P-1) registered under Sections 306 and 506 read with Section 34 IPC at Police Station Lambi, District Sri Muktsar Sahib.

On 02.06.2023, this Court had passed the following order :-

“Kulwinder Singh-petitioner has filed anticipatory bail in FIR No. 0062 dated 24.03.2023 under Section 306, 506 and 34 IPC registered at Police Station Lambi, District Sri Muktsar Sahib. It is argued that he is falsely implicated in this case being brother of the main accused. It is pointed out that Kulwant Singh (main accused) is already in custody. The FIR has been registered on the complaint of father-in-law of the deceased victim. However, he is ready to join the investigation.

Notice of motion.

On the asking of Court, Mr. Kunwarbir Singh, Assistant AG, Punjab accepts notice on behalf of the State. As referred above, the main accused already in custody. The present petitioner is the brother of main accused who is ready to join the investigation as and when required. Therefore, considering the facts of the case, the arrest of the petitioner is stayed till next, subject to the joining of investigation.

Adjourned to 18.08.2023.

Status report be filed by respondent-State by the adjourned date”.

Learned counsel for the petitioner submits that in compliance of the order dated 02.06.2023 passed by this Court, the petitioner has joined the investigation.

Status report dated 18.08.2023, filed by way of affidavit of Sh. Fateh Singh Brar, PPS, Deputy Superintendent of Police, Sub-Division Malout, District Sri Muktsar Sahib on behalf of respondent No. 1-State of Punjab, is taken on record.

Learned State counsel, on instructions from SI Amar Singh states that in terms of the order passed by this Court, reproduced above, the petitioner has joined the investigation and no further interrogation is required at this stage.

In view of the above, the order dated 02.06.2023 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join the investigation and cooperate with the investigating agency in case he is required for the same in future as and when called upon to do so.

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

The petition stands disposed of.

18.08.2023
rishu

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No