

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH****208**

CRM-M-30669-2022

Date of decision: 23.08.2023

Baljeet Singh

....Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Karamjit Singh Gill, Advocate, for the petitioner.

Mr. Manipal Singh Atwal, DAG, Punjab.

Mr. S.S. Killianwali, Advocate, for respondent No.2.

AMAN CHAUDHARY. J.

1. On 31.08.2022, this Court had passed the following order:-

Short reply by way of affidavit Mr. Lalit Kumar, DSP, SubDivision City Batala, District Batala filed on behalf of the State is ordered to taken on record.

The counsel for the petitioner submits that actually there was some money dispute between the parties but the matter was settled for `1.10 lac which has to be paid by the petitioner to the complainant. The counsel for the petitioner further submits that the petitioner is ready to make payment of said settled amount to the complainant but in installment and he be granted some interim protection from his arrest.

The State counsel submits that he is having no instructions with regard to any compromise stated to have been effected between the parties and made prayer that let the complainant be impleaded as party in the present petition.

In view of the above, complainant-Thomas Masih is hereby directed to be impleaded as respondent No.2 in the present petition.

Notice to the newly added respondent No.2 be issued for 13.10.2022.

In the meanwhile, in case of arrest, the petitioner is directed to be released on interim bail by the Investigating Officer/Arresting Officer subject to his own satisfaction. The petitioner should join investigation with the police well in time

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before the next date of hearing and to abide by the conditions envisaged under Section 438 (2) Cr.P.C.

The report of the Investigating Officer be also called in this context on the next date of hearing.

In the meanwhile, petitioner is also directed to file amended memo of parties.

2. Learned counsel for the petitioner submits that in pursuance of the aforesaid 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 from SI Surjit Singh 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 31.08.2022 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

23.08.2023

Ankur

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No