

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH****215**

CRM-M-29523-2023

Date of decision: 24.08.2023

Gurwinder Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Prince Sharma, Advocate, for the petitioner.

Mr. Manipal Singh Atwal, DAG, Punjab.

AMAN CHAUDHARY. J.

1. On 06.07.2023, 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. 206 dated 29.12.2020, registered under Sections 323, 324, 326, 506, 148, 149 and 379-B of the Indian Penal Code, 1860 at Police Station Bhikhiwind, Tehsil Patti, District Tarn Taran.

Learned counsel submits that the attribution to the petitioner of hitting with stick is on the left leg of Bitta Singh and there is no allegation of snatching against the petitioner in the second occurrence. Co-accused Geeta Singh has been granted interim anticipatory bail as Devender Singh @ Harsha while Kulbir Singh has been granted regular bail. He is not involved in any other case. The petitioner is ready and willing to join the investigation as and when required by the investigating agency.

Adjourned to 16.08.2023.

Meanwhile, the petitioner is directed to join the investigation on 13.07.2023. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance of 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, the interim order shall be deemed to have been vacated.”

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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 Baljit 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 06.07.2023 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

24.08.2023*Ankur*

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No