

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

CRM-M-31219-2022 (O&M)
Date of decision: 06.07.2023

Pardeep Kumar

....Petitioner

Versus

State of Punjab and Another

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Amit Sharma, Advocate for the petitioner

Mr. Manipal Singh Atwal, DAG Punjab

Mr. Edward Augustine George, Advocate for the complainant

AMAN CHAUDHARY. J.

1. On 14.02.2023, this Court had passed the following order:-

“Mr. Edward Augustine George, Advocate has put in appearance on behalf of respondent No.2 and filed vakalatnama, which is taken on record. He prays for time to file certain documents in support of his defence.

Learned counsel for the petitioner states that though he has joined the investigation but is being called time and again to the police station causing harassment at the hands of Investigating Officer.

On the other hand, learned State counsel states that the petitioner has not joined the investigation so far since when the interim protection was granted to the petitioner.

Without going into the controversy further, the petitioner is directed to join the investigation with the Investigating Officer on 17.02.2023 at 10:00 A.M and to cooperate in the investigation process.

Adjourned to 06.07.2023.

Interim order to continue subject to aforesaid directions.”

2. Learned counsel submits that in pursuance of the afore-mentioned 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 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 14.02.2023 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

July 06, 2023
M.Kamra

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