

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

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CRM-M-30098-2023

Date of decision: 23.08.2023

Jatinder Singh @ Sunny

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Balbir Singh Saini, Advocate, for the petitioner.

Mr. Manipal Singh Atwal, DAG, Punjab.

AMAN CHAUDHARY. J.

1. On 16.06.2023, 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. 99 dated 07.12.2022, registered under Sections 452, 323, 325, 506 and 34 of the Indian Penal Code, 1860 at Police Station Kheri Naudh Singh, District Fatehgarh Sahib.

Learned counsel submits that the dispute between the petitioner and the complainant with regard to irrigation of the field by an electric motor. The petitioner has also received injury at the hands of the complainant and thereby, an FIR No. 100 dated 10.12.2022 had been lodged against husband and son of the complainant and 2 unknown persons. He is not involved in any other case. Learned counsel submits that the petitioner is ready and willing to join the investigation as and when required by the investigating agency.

Adjourned to 23.08.2023.

Meanwhile, the petitioner is directed to join the investigation on or before 23.06.2023. 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, this 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 ASI Ravinder 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 16.06.2023 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

23.08.2023*Ankur*

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No