

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

207-II

Criminal Misc. No. M-34742 of 2022

Date of decision :-25.07.2023

Om Parkash

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Dheeraj Mahajan, Advocate
for the petitioner.

NIDHI GUPTA J. (Oral)

The petitioner is seeking anticipatory bail in FIR No.87 dated 16.7.2022, under Sections 354-B and 323 IPC read with Section 34 IPC, registered at Police Station Sadar, Gurdaspur.

On 06.8.2022, this Court had passed the following order

:-

“Instant petition has been filed under Section 438, Cr.P.C., for grant of anticipatory bail in FIR No.87 dated 16.07.2022, registered for offences under Sections 354-B, 323 and 34, IPC, at Police Station Sadar Gurdaspur (Annexure P-1).

Counsel for the petitioner submits that the petitioner is the father of Ram Lal with whom the complainant allegedly had a financial dispute. He submits that there is no allegation against the petitioner for offence under Section 354-B, IPC, and the petitioner is alleged to have given a stick

blow to the complainant, resulting in a simple injury. He has placed reliance upon interim order dated 26.07.2022 (Annexure P-2) passed in CRM-M-32066-2022 by this Court, whereby co-accused, Satya Devi and Mamta Devi, who are his wife and daughter, respectively, have been granted anticipatory bail.

Notice of motion.

On asking of the Court, Mr. A.S.Gill, Senior Deputy Advocate General, Punjab accepts notice on behalf of the respondent-State.

List on 17.01.2023.

To be heard with CRM-M-32066-2022.

Meanwhile, the petitioner shall join the investigation and would appear as and when called by the Investigating Officer. In the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned State counsel, on instructions from the Investigating Officer 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 06.8.2022 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.

July 25, 2023

Vijay Asija

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No