

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

207-III

Criminal Misc. No. M-35773 of 2022

Date of decision :-25.07.2023

Kuldeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

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

Mr. Jashanpreet Singh, DAG, Punjab.

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 16.8.2022, this Court had passed the following order

:-

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.87 dated 16.07.2022, registered for offences under Sections 354-B, 323 and 34 of the Indian Penal Code, 1860, at Police Station Sadar Gurdaspur (Annexure P-1).

Counsel for the petitioner contends that the complainant had a financial dispute with Ram Lal. The petitioner, who is a Sarpanch of the village, intervened and tried to bring about a

reconciliation between the parties. He submits that the allegations levelled against the petitioner are false and are outcome of political rivalry. Reliance has been placed by him upon orders dated 26.07.2022 and 06.08.2022, Annexures P-3 and P-4, respectively, whereby, co-accused have been granted interim anticipatory bail by this Court.

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 16.8.2023 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