

2023:PHHC:126676

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

207

CRM-M-34925-2023 (O&M)
Date of decision: 27.09.2023

Akashdeep Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None

AMAN CHAUDHARY. J.

1. In view of the request letter circulated by Bar Association, the lawyers are abstaining from work.

2. On 21.07.2023, 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 FIR No.8 dated 23.01.2023, registered under Sections 452, 323, 427, 148, 149 and 506 IPC (Section 326 IPC added later on) at Police Station Khilchian, District Amritsar Rural.

Learned counsel for the petitioner contends that it is a case of version and cross version as on statement of the father of the petitioner, an FIR has been lodged against injured-Lovepreet in Rapat No.31 dated 25.01.2023, wherein afterwards Section 326 IPC has also been added vide Rapat No.23 dated 18.02.2023. Injury attributed to the petitioner in the present case, as per the FIR is on the hand of the injured-Lovepreet. There is a delay of 11 days in lodging the FIR. One more case is against the petitioner, which is also between the same parties. Co-accused Sandeep has been granted bail. The petitioner is ready and willing to join the investigation as and when required by the investigating agency.

Notice of motion.

At the asking of the Court, Mr. Manipal Singh Atwal, DAG, Punjab, accepts notice on behalf of respondent-State.

Meanwhile, the petitioner is directed to join the investigation on or before 03.08.2023. 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.

Adjourned to 27.09.2023. ”

3. ASI Major Singh appears in person and submits that the petitioner has joined the investigation and cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for any 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 21.07.2023 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

September 27, 2023
M.Kamra

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