

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

CRM-M No.37614 of 2023

Date of decision: 14th November, 2023

Roop Lal

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Amritpal S. Gill, Advocate for the petitioner.

Mr. Mohit Kapoor, Addl. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.37 dated 27.03.2018 under Sections 382 and 506 of the IPC registered at Police Station Kulgari, District Ferozepur.

2. On the last date of hearing, i.e. 03.08.2023, while noticing the following submissions made by learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Learned counsel for the petitioner submits that no doubt the petitioner was named in the FIR in question, however, there was no allegation levelled against him of either threatening the complainant at gun point along with co-accused or for that matter even assaulting the complainant party. While drawing the attention of this Court to the FIR in question, he submits that the only role attributed to him is that after co-accused Mohinder Singh had taken out a pistol to scare the complainant party, he had just been asked by him to load the cattle into the truck which they had

brought to the house of the complainant. He submits that strangely even though the accused were known to the complainant party as they were all named therein, the FIR in question was lodged after an abnormal delay of 03 days. He further submits that it was on account of some misunderstanding the FIR in question had been lodged and the matter was subsequently amicably settled vide compromise (Annexure P-2). He further submits that the petitioner is ready to join investigation and cooperate with the investigating agency.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 03.08.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Kulwant Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In the circumstances, the petition is allowed and the interim order dated 03.08.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

November 14, 2023

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No