

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

213

CRM-M-38725-2023
Date of decision: 18.09.2023

Baljit Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None for the petitioner
 HC Mandeep Singh in person

AMAN CHAUDHARY. J.

1. On 08.08.2023, 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.141 dated 08.07.2023, registered under Sections 379, 379-B, 413 and 34 IPC (Section 411 IPC added later on) at Police Station Haibowal, District Ludhiana.

Learned counsel contends that the name of the petitioner has surfaced based on disclosure statements of co-accused, as per which the batteries stolen by them were sold to the petitioner. In this regard, reliance is placed on the judgment passed by Hon’ble The Supreme Court in the case of Toofan Singh vs. State of Tamil Nadu, 2021 (1) RCR (Cr.) 1. There is also no reference of the petitioner in the secret information, wherein the four co-accused had been named. The petitioner is not involved in any other case. He 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 16.08.2023. 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 18.09.2023.”

2. HC Mandeep Singh submits that the petitioner has joined the investigation on 15.08.2023 and is cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.
3. 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 08.08.2023 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr.P.C.
4. 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.

18.09.2023
Mehak

(AMAN CHAUDHARY)
JUDGE

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