

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212-2

CRM-M-39808-2023

Date of decision: 07.11.2023

Capt. ® Minderpal Singh Rattan

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Rahul Garg, Advocate for
Mr. Pradeep Sharma, Advocate
for the petitioner.

Mr. Digvijay Nagpal, AAG, Punjab.

Ms. Sonal Chhabra, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.0055 dated 28.06.2023 under Sections 447, 380, 419 and 120-B of the Indian Penal Code, 1860, registered at Police Station Dhakoli, District S.A.S. Nagar (Mohali).

2. On 04.09.2023, while noticing the following submissions made by the 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 has reiterated the submissions made on the last date of hearing that the petitioner had been found innocent by the police, however, after a gap of 3½ years, a fresh investigation had been carried out on the same set of allegations, as a result of which the FIR in question had been lodged.”

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3. Learned counsel for the petitioner submits that in compliance of order dated 04.09.2023, the petitioner has joined investigation and cooperated with the investigating agency.
4. Learned State counsel, on instructions from ASI Mewa 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 view of the above, the petition is allowed and interim order dated 04.09.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

07.11.2023		(MANJARI NEHRU KAUL)
Vinay		JUDGE
	Whether speaking/reasoned	: Yes/No
	Whether reportable	: Yes/No