

2023:PHHC:152686

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

220

**CRM-M No.40114 of 2023
Date of Decision : 30.11.2023**

Sarwan Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Ms. Vibhakti Chaudhary, Advocate for

 Mr. Dilpreet Singh Gandhi, Advocate for the petitioner.

 Mr. M.S. Tiwana, AAG Punjab.

ALKA SARIN, J. (Oral)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.55 dated 02.07.2021 under Sections 354, 323, 452, 506, 148 and 149 of the Indian Penal Code, 1860 registered at Police Station Jhander, Amritsar Rural, District Amritsar.

2. On 05.09.2023 the following order was passed :

“The petitioner herein seeks the relief of anticipatory/pre-arrest bail in the criminal case arisen out of the FIR bearing No.55 dated 02.07.2021 registered at Police Station Jhander, Amritsar Rural, District Amritsar, under Sections 354, 323, 452, 506, 148 and 149 IPC.

Learned counsel for the petitioner, inter-alia, contends that the petitioner and the complainant party were actually having a dispute regarding the pipeline, as laid down in the street and due to this reason, the complainant has got the petitioner falsely implicated in the criminal case under reference and moreover, he is ready and willing to join in the investigation as and when so required and is also not involved in any other criminal case.

Notice of motion.

Learned State counsel accepts the notice and seeks some time to get proper and complete instructions in the present matter from the quarter concerned and if deemed necessary, then to file the Status-Report also.

Adjourned to 30.11.2023.

Meanwhile, the petitioner shall join in the investigation on 15.09.2023 at 10.00 A.M. sharp and in the event of his arrest, he shall be released on interim bail subject to his furnishing the requisite personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall continue to join in the investigation as and when so required, even after 15.09.2023 and shall also strictly abide by all the conditions as laid down in Section 438(2) Cr.P.C.”

3. Learned counsel for the petitioner states that the petitioner has since joined the investigation and fully cooperated.

4. Learned counsel for the State on instructions from ASI Nagwinder Singh has stated that the petitioner has since joined investigation

and fully cooperated and that he is no longer required for further custodial interrogation as of now.

5. In view of the above, the order dated 05.09.2023 is made absolute. The petitioner shall, however, join investigation as and when called. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

6. Disposed off accordingly. Pending applications, if any, also stand disposed off.

(ALKA SARIN)

JUDGE

30.11.2023

jk

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO