

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

217

CRM-M-42855-2023

Date of decision: 04.10.2023

Baljeet Singh Dhaliwal and another

..Petitioners

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Arunjeet Singh Kakkar, Advocate for the petitioners.

Mr. Manipal Singh Atwal, DAG, Punjab.

AMAN CHAUDHARY, J.

1. On 29.08.2023, this Court had passed the following order:-

“The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in FIR No. 10 dated 19.01.2019, registered under Sections 420, 465, 467, 468, 471 and 120-B IPC at Police Station Kiratpur Sahib, District Rupnagar.

Learned counsel contends that the dispute between the petitioners and the complainant was regarding management of Generation Next Gurukul Society Kiratpur Sahib, to which grand father of the complainants had donated 5 acres of land for starting an educational institution. The matter now stands compromised between the parties on 25.07.2023, Annexure P-2, on the basis of which, a petition bearing CRM-M-37214-2023, has been filed for quashing of FIR, wherein direction to record the statements of the parties was passed on 01.08.2023. Coaccused namely Kuldeep Singh Dhaliwal and Ravinder Kumar Khanna have been granted bail by this Court vide orders dated 09.08.2023 and 23.08.2023, Annexures P-4 & P-5 respectively. One more case is pending against the petitioners, however, cancellation report has been presented by the Investigating Officer in it. The petitioners are ready and willing to join the investigation as and when required by the investigating agency and will cooperate.

Notice of motion.

At the asking of the Court, Ms. Himani Arora, AAG, Punjab, accepts notice on behalf of respondent-State. Mr. Gurpreet Singh, Advocate puts in appearance on behalf of the complainant.

Meanwhile, the petitioners are directed to join the investigation on or before 11.09.2023. In the event of their arrest, they 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 petitioners do 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 04.10.2023.”

2. Learned counsel submits that in pursuance of the afore-mentioned order, the petitioners have not only joined investigation but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioners to appear, they shall make themselves available without demur.

3. Learned State counsel on instructions from ASI Pardeep Sharma affirms the factum of joining the investigation by the petitioners and cooperating with the investigating agency. He also submits that at this stage, the petitioners are 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 petitioners is allowed and the order dated 29.08.2023 granting interim bail to them, 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 petitioners fail 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 them.

(AMAN CHAUDHARY)
JUDGE

04.10.2023

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No