

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

213

CRM-M-43383-2023**Date of decision: 09.10.2023**

Lovepreet Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. G. S. Kaura, Advocate
for the petitioner

Mr. Manipal Singh Atwal, DAG, Punjab

AMAN CHAUDHARY. J.

1. On 01.09.2023, 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.151 dated 30.07.2023, registered under Section 304 IPC at Police Station Macchiwara, District Khanna.

Learned counsel contends that the FIR was against unknown persons, however, during investigation, on the basis of alleged disclosure statement of co-accused Paramjit Kaur, the name of the petitioner had surfaced. It is his submission that they were co-villagers of the deceased, who is stated to be a drug addict and never admitted in hospital or rehabilitation centre. The petitioner has been falsely implicated in the case. He is not involved in any other case and is 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.

Meanwhile, the petitioner is directed to join the investigation on or before 11.09.2023. 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 09.10.2023.”

2. Learned counsel submits that in pursuance of the above order, the petitioner has not only joined investigation, but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.

3. Learned State counsel on instructions from SI Satpal Singh affirms the factum of joining the investigation by the petitioner and cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for further 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 petitioner is allowed and the order dated 01.09.2023 granting interim bail to him, 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 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.

09.10.2023
Mehak

(AMAN CHAUDHARY)
JUDGE

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