

2023:PHHC:057692
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M-53151-2022 (O&M)
Date of decision: 24.04.2023

NAVDEEP KUMAR @ SAHIL MEHRA

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Sunil Kumar, Advocate
for the petitioner.

Mr. Manipal Singh Atwal, DAG Punjab.

AMAN CHAUDHARY. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail in FIR No.152 dated 20.07.2022, registered under Sections 323, 324, 341, 506 of IPC and Section 307 IPC (added later on) at Police Station Kotwali, Patiala.

On 16.03.2023, 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.152 dated 20.07.2022, registered under Sections 323, 324, 341, 506 of IPC and Section 307 IPC added later on at Police Station Kotwali, Patiala.

Learned counsel for the petitioner submits that there is a compromise that has been arrived at between the petitioner and the complainant on 14.03.2023. A copy of which has been produced on record as Mark-A. He prays for some time to file a petition for quashing of FIR on the basis of compromise. He further submits that the petitioner is ready and willing to join investigation as and when required by the investigating agency.

The petitioner is directed to join the investigation on or before 24.03.2023. In the event of arrest of the petitioner, he shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance 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 24.04.2023.”

Learned counsel for the petitioner submits that in pursuance of order dated 16.03.2023 of this Court, 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.

Learned State counsel on instructions from SI Mewa Singh affirms the factum of joining the investigation by the petitioner and cooperating with the investigation agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.

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 16.03.2023 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C

However, it is made clear that if the petitioner fails to join and cooperate with the investigation 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.

(AMAN CHAUDHARY)
JUDGE

April 24, 2023

M.Kamra

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>