

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

201

Criminal Misc. No. M-57738 of 2022

Date of decision :-06.09.2023

Kuldeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Kuldip Singh, Advocate
for the petitioner.

Mr. Kunwarbir Singh, AAG, Punjab.

NIDHI GUPTA J. (Oral)

The petitioner is seeking anticipatory bail in FIR No.126 dated 19.8.2022, under Sections 452, 354, 323, 148 and 149 IPC, registered at Police Station Mamdot, District Ferozepur.

On 12.12.2022, this Court had passed the following order

:-

“Petitioner has approached this Court praying for grant of anticipatory bail in case FIR No. 126 dated 19.08.2022, under Sections 452, 354, 323, 148, 149 of IPC, registered at Police Station Mamdot, District Ferozepur.

It has been contended by counsel for the petitioner that the petitioner has been falsely implicated in this case. He submits that the petitioner had approached the Court of learned Sessions Judge praying for grant of anticipatory bail and the interim bail was granted. However, as

there was another FIR against the petitioner, he could not join the investigation and on account of the same, the interim granted to the petitioner was declined. He has submitted that no case for custodial interrogation of the petitioner is made out.

Notice of motion.

On asking of the Court, Mr. Sandeep Kumar, DAG, Punjab accepts notice on behalf of the respondent-State.

List on 23.02.2023.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation before the Investigating Agency/Officer. He shall abide by the following conditions as envisaged under Section 438(2) Cr. P.C:-

I. That the petitioner shall make himself available for interrogation by a police officer as and when required to do so.

II. That the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

III. That the petitioner shall not leave India without prior permission of the court.”

Learned State counsel, on instructions from ASI Darshan Singh states that in terms of the order passed by this Court, reproduced above, the petitioner has joined the investigation and no further interrogation is required at this stage.

In view of the above, the order dated 12.12.2022 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join the investigation and cooperate with the investigating agency in case he is required for the same in future as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

September 06, 2023

Vijay Asija

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No