

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

204-II

Criminal Misc. No. M-60687 of 2022

Date of decision :-13.10.2023

Divandeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Vaibhav Narang, Advocate
for the petitioner.

Mr. Shubham Kaushik, AAG, Punjab.

NIDHI GUPTA J. (Oral)

The petitioner is seeking anticipatory bail in FIR No.166 dated 18.9.2022, under Sections 452, 354, 380, 427, 506, 148, 149 IPC (Section 411 IPC added later on), registered at Police Station Gharinda, District Amritsar Rural.

On 23.12.2022, this Court had passed the following order

:-

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking pre-arrest bail in case FIR No. 166 dated 18.09.2022, registered for offences under Sections 452, 354, 380, 427, 506, 148 and 149 of the Indian Penal Code, 1860, at Police Station Gharinda District Amritsar Rural, Annexure P-1.

Counsel for the petitioner contends that the petitioner is not named in the FIR, though he is alleged to be a part of the unlawful assembly.

Reliance has been placed by him upon interim order dated 21.12.2022, Annexure P-4, whereby co-accused has been granted interim protection by this Court.

Notice of motion.

On asking of the Court, Mr. P.S. Grewal, DAG, Punjab accepts notice on behalf of respondent-State.

List on 29.03.2023.

Petitioner is directed to join the investigation on 06.01.2023 at 11.00 A.M. at Police Station Gharinda District Amritsar Rural and co-operate with the Investigating Agency. In the event of arrest, he shall be admitted to interim bail on furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.

To be heard with CRM-M-60689-2022.”

Learned State counsel, on instructions from ASI Daljeet 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 23.12.2022 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.

October 13, 2023

Vijay Asija

(**NIDHI GUPTA**)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No