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CRM-M-5578-2024
Date of decision: 30.07.2024

....Petitioner

Versus

....Respondent

Present:- Mr. L.S. Lakhanpal, Advocate for the petitioner.

Mr. Adesh Pal Singh, AAG, Punjab.

Mr. Vijay Lath, Advocate for the complainant.

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SANJIV BERRY, J. (ORAL)

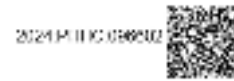
By way of present petition filed under Section 438 Cr.P.C, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
0337	02.11.2023	420, 465, 467, 468, 471 and 120-B IPC	Dera Bassi, District SAS Nagar.

2. Learned counsel for the petitioner submits that in compliance to the order dated 28.02.2024, the petitioner has joined the investigation.

3. During the course of hearing on 28.02.2024, following order had been passed: -

“1. Short reply dated 19.02.2024 filed in the form of an affidavit of Assistant Superintendent of Police, Sub-Division, Dera Bassi, District SAS Nagar is taken on



record. Copy thereof has been supplied to learned counsel for the petitioner.

2. *List on 21.03.2024.*

3. *In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and co-operate in the same. In the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”*

4. Learned State counsel on instructions from ASI Kewal Kumar informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

5. Learned counsel appearing on behalf of the complainant has opposed the bail application by submitting that the petitioner has taken the amount from the complainant along with the co-accused, however, on query from the Court he has not been able to show any document whereby such payment was made.

6. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 28.02.2024 passed by this Court, interim bail granted vide order dated 28.02.2024 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner



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is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

7. The petition stands allowed.
8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

30.07.2024
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(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |