

207

Neutral Citation No. 2024:PHHC:047419

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

CRM-M-5457-2024

Date of decision: 08.04.2024

BEANT SINGH AND ANOTHER

....Petitioners

Versus

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Abhay Gupta, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Deepinder Brar, Advocate
for the complainant.

• • • • •

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
006	12.01.2024	380, 448, 511 and 34 IPC	Koom Kalan, District Police Commissionerate, Ludhiana.

2. Learned counsel for the petitioner submits that in compliance to the order dated 16.02.2024, the petitioner has joined the investigation.

3. During the course of hearing on 16.02.2024, following order had been passed: -

1. Learned counsel for the petitioners inter alia contends that the petitioners have not committed the crime and even otherwise petitioner No.1, being citizen of America, had been visiting the ancestral property,

which is still unpartitioned with the complainant. He submits that all the articles mentioned by the complainant are lying intact in the room and has referred to the photographs (Annexure P-7) annexed with the petition in this regard.

2. Learned State counsel assisted by learned counsel for the complainant has submitted that earlier also two FIRs were registered against the petitioners at the instance of the complainant.

3. In these circumstances, it is deemed appropriate that the petitioners should join the investigation first, before deciding the petition on merits.

4. The petitioners are hereby directed to join investigation within seven days from today and co-operate in the same. In the event of the arrest of the petitioners, they shall be released on interim bail on their furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. They shall also abide by conditions as envisaged under Section 438(2) Cr.P.C. 5. Adjourned to 14.03.2024.”

4. Learned State counsel on instructions from ASI Raghveer Singh, P.S. Kum Kallan, District Ludhiana informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

5. 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 16.02.2024 passed by this Court, interim bail granted vide order dated 16.02.2024 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner 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.

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

08.04.2024
puneet

(SANJIV BERRY)
JUDGE

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