

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-M-16100-2024

Date of decision: 25.04.2024

RIPAN DHIR

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. P.S. Ahluwalia, Advocate with
Mr. Gaurav Jain, Advocate
for the petitioner.

Mr. Raghav Garg, AAG, Punjab.

Mr. Rahul Bhargava, Advocate for the complainant.

KULDEEP TIWARI. J.(Oral)

1. On the last date of hearing, i.e. 03.04.2024, the following order was
passed:-

“Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner seeks the concession of anticipatory bail, in case FIR No.32 dated 18.02.2024, under Sections 379, 420, 465, 467, 468 and 471 of the IPC, registered at P.S. Gobindgarh Mandi, District Fatehgarh Sahib.

At the very outset, on the oral request of learned counsel for the petitioner, the complainant in the instant FIR, is arrayed as respondent no.2 in the memo of parties. The Registry is directed to make necessary correction in the memo of parties by taking particulars of the complainant from the FIR.

By placing reliance upon the private complaint preferred by the petitioner against the complainant under Section 138 of the Negotiable Instruments Act, 1881, learned counsel for the petitioner

submits that instant FIR is a counter-blast to create a defence in the aforesaid complaint wherein the present complainant has been summoned.

Notice of motion.

Mr.Pardeep Bajaj, DAG, Punjab, accepts notice on behalf of respondent-State and waives service.

Notice upon the newly added respondent no.2, be issued, on furnishing the requisite process fee by the petitioner, returnable on 25.04.2024.

Meanwhile, the petitioner is directed to join the investigation and on his doing so, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so, and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

2. Today, the learned State counsel on instructions imparted to him by ASI Harwinder Singh, submits that the petitioner has already joined the investigation and he is fully co-operating with the investigation process and he is not required for any further custodial investigation.
3. In view of the specific stand taken by the learned State counsel, the present petition is **allowed** and order dated 03.04.2024 is, hereby, made absolute subject to the condition that the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

25.04.2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.

Whether Reportable.

:

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Yes/No

Yes/No