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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(102+212)

CRM-M-16961-2024 (O & M)
Date of decision: 02.08.2024

Gurpreet Singh @ Kala Petitioner
V/s

State of Punjab ...Respondent

CORAM: HON’BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Karnail Singh Ahhi, Advocate, for the petitioner.

Ms. Ramta K Chaudhary, DAG, Punjab.

Mr. R.K. Handa, Advocate, with
Ms. Gauri Handa, Advocate,
Mr. Dharambir Bhargava, Advocate and
Mr. Kulwinder Bhargava, Advocate, for the complainant.

JASJIT SINGH BEDI, J. (Oral)

CRM-30737-2024

This is an application for impleading the applicant/complainant
as respondent No.2 in the present case.

For the reasons mentioned in the application, the same is
allowed. The applicant-complainant is impleaded as party-respondent No.2
in the array of the parties.

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The application for placing on record certain documents
(Annexures A-1 to A-4), is allowed as prayed for subject to all just
exceptions. The same are taken on record.



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The petitioner seeks the grant of anticipatory bail under Section 438 Cr.P.C. in a case bearing FIR No.0029 dated 29.02.2024 under Sections 341, 323, 506, 379-B IPC registered at Police Station Sadar Shri Muktsar Sahib, District Shri Muktsar Sahib.

On 08.04.2024, the following order was passed:-

The petitioner seeks grant of anticipatory bail in case bearing FIR No.0029 dated 29.02.2024 registered under Sections 341, 323, 506, 379-B IPC at Police Station Sadar Shri Muktsar Sahib, District Shri Muktsar Sahib.

The learned counsel for the petitioner contends that only simple injuries have been attributed to the petitioner.

Notice of motion for 10.05.2024.

Ms. Ramta K Chaudhary, DAG, Punjab accepts notice on behalf of the respondent-State

Mr. R.K. Handa, Advocate with Ms. Gauri Handa, Advocate, Mr. Dharambir Bhargav, Advocate, Mr. Kulwinder Bhargav, Advocate and Mr. Vaibhav Narang, Advocate accepts notice on behalf of the complainant.

In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer to join investigation and in the event of his arrest, he shall be released on bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2)

Cr.P.C.:-



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- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;*
- 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 the country, without prior permission of the Court and shall surrender his passport, if any.*

Meanwhile, the State counsel is directed to file an affidavit as to the exact role of the petitioner along with the details of pending FIRs, if any, on or before the next date of hearing.”

In terms of the aforementioned interim order, though, the petitioner has joined the investigation, the learned counsel for the complainant submits that the petitioner is repeatedly restricting the complainant from irrigating his fields.

Be that as it may, as the petitioner has joined the investigation in terms of the order dated 08.04.2024, I do not deem it appropriate to decline him the concession of anticipatory bail.

Therefore, the interim order dated 08.04.2024 is made absolute.

The petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

However, in case, at any subsequent stage, the petitioner interferes in the agricultural activities of the complainant, the complainant is

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at liberty to approach this Court by way of filing a petition for cancellation of bail granted vide this order.

The petition stands disposed of.

August 02, 2024
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No