

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-24622-2024
Date of decision: 09.07.2024

SURINDER KUMAR DHALLPETITIONER

Versus

STATE OF PUNJAB AND ANOTHERRESPONDENTS

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. H.S. Multani, Advocate for the petitioner.
Mr. Ankit Grewal, DAG Punjab.
Mr. Arshdeep, Advocate for respondent No.2.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Section	Police Station
59	15.04.2024	306 and 34 of IPC	City Jalalabad, Fazilka

2. Learned counsel for the petitioner submits that in compliance to the order dated 27.05.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 27.05.2024.
3. Learned State counsel, on instructions from ASI Maninder Singh intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial investigation.



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4. During the course of hearing on 27.05.2024, following order was passed:

“1. Status report dated 27.05.2024 filed in the form of an affidavit of Deputy Superintendent of Police, Sub Division, Jalalabad, is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. Heard.

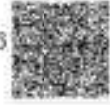
3. It is, inter alia, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that even the complainant has effected compromise dated 10.05.2024, thereby giving clean chit to the petitioner. He submits that the petitioner is not having any criminal antecedents and is ready to join investigation.

4. Per contra, learned State counsel has also admitted the factum of compromise as has been mentioned in the status report submitted by the Police.

5. Learned counsel representing the complainant/respondent No.2 on instructions from the complainant has also admitted the genuineness of the compromise dated 10.05.2024

6. List on 09.07.2024.

7. In the meanwhile, it is deemed appropriate that the petitioner should join the investigation first, before deciding the petition on merits. Accordingly, 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. ”

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counsel and the fact that the petitioner had joined the investigation consequent to the order dated 27.05.2024 passed by this Court, interim bail granted vide order dated 27.05.2024 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.

(SANJIV BERRY)
JUDGE

09.07.2024*S.Sharma(syr)*

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