

CRM-2382-2024 in/and
CRM-M-34803-2020
Date of decision: 23.01.2024

Sukhpal SinghPetitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Abhishek Singla, Advocate
for the applicant/petitioner.

Mr. Subhash Godara, Addl.A.G., Punjab.

Mr. Ravish Bansal, Advocate for
Mr. Harmanjot Singh Gill, Advocate
for the complainant.

HARPREET SINGH BRAR, J. (ORAL)

CRM-2382-2024

The present application has been filed under Section 482 Cr.P.C. for preponement of the hearing of the main case from 13.05.2024 to an early date.

Learned counsel for the applicant/petitioner *inter alia* contends that the aforementioned petition filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner was ordered to be heard with CRM-M-41626-2020 (compromise quashing petition) vide order dated 21.12.2020 passed by this Court. He further submits that the compromise quashing petition bearing No. CRM-M-41626-2020 has been allowed and the FIR (*supra*) has already been ordered to be quashed. The above titled petition could not be taken up for

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the last four consecutive dates i.e. 20.07.2022; 05.12.2022; 12.07.2023 & 14.12.2023, due to heavy roster. Moreover, in compliance of the order passed by this Court on 07.05.2022, the petitioner has already joined the investigation and as such, the prayer for preponement of the above titled main case is made out.

Learned counsel for the complainant appears and submits that he has no objection in case the present application is allowed and the main case is disposed of.

In view of the FIR (*supra*) which has already been quashed by this Court vide order of even date and the stand taken by the parties, the present application is allowed and taken up on board today itself.

CRM-M-34803-2020

This petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in case bearing FIR No.137 dated 01.10.2020 (Annexure P-1) under Sections 295-A/355/506 of IPC (Section 295-A of IPC added vide order dated 23.08.2021) registered at Police Station Raman District Bathinda.

On 07.05.2022, the following order was passed:-

‘The arrest of the petitioner was stayed vide order dated 30.10.2020.

However, the learned State counsel has submitted that the petitioner has not joined the investigation.

On the other hand, the learned counsel for the petitioner has submitted that since there was no order regarding the joining of the investigation, the police is not permitting the petitioner to join the investigation on the basis of aforesaid technicality.

In view of the above, the petitioner is directed to join

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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.

Adjourned to 20.7.2022. '

Learned State counsel on instructions from ASI Gurmej Singh, at the very outset informs the Court that the petitioner has joined the investigation on 12.05.2022 and his custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 07.05.2022 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 438(2) Cr.P.C.

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

23.01.2024
Neha

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No