

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208

CRM-M-35015-2024 (O&M)
Date of Decision:- 02.08.2024

PARKASH SINGH ALIAS BAU

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Sarabjit Singh, Advocate for the petitioner.

Mr. Adesh Pal Singh, AAG Punjab.

SANJIV BERRY, J. (ORAL)

Status report dated 01.08.2024 filed in the form of an affidavit of Deputy Superintendent of Police, Sub-Division, Amritsar (Rural), is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR as under:

FIR No.	Dated	Sections	Police Station
96	08.06.2024	457 and 380 IPC	Beas, District Amritsar Rural

3. Learned counsel for the petitioner has submitted that in compliance to the order dated 24.07.2024 passed by this Court, the petitioner



has already joined the investigation and as such interim bail granted to the petitioner may be confirmed.

4. Learned State counsel, on instructions from ASI Tajinder Singh has intimated that the petitioner has joined investigation and is no more required for any custodial investigation in this case nor he is required for further investigation.

5. Heard.

6. During the course of hearing on 24.07.2024, the following order was passed:-

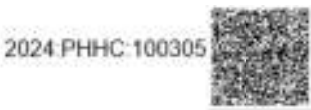
“ 2. Learned counsel for the petitioner, inter alia, contends that the petitioner is working as labourer with the complainant and on account of some money dispute, he has been falsely implicated in the present case. He further contends that neither the petitioner is indulging in such crime nor is there any iota of version in the FIR itself that any theft was committed by the petitioner. He further contends that the case has been falsely planted in connivance with the police by the complainant. The petitioner is having no criminal antecedents and even the alleged recovery had already been effected from the co-accused and the case property released on superdari to the complainant. He further contends that although the recovery was already effected on 09.06.2024 from the co-accused and released on superdari too but the police wrongly projected before the learned Sessions Judge, Amritsar, that the recovery is yet to be effected as transpires in the order dated 09.07.2024 passed by the learned Sessions Judge, Amritsar. He submits that the petitioner is ready to join the investigation.

3. Notice of motion.

4. On the asking of the Court, Mr. Ankit Grewal, DAG, Punjab present in Court, accepts notice on behalf of the State-respondent and on instructions from ASI Sukhwinder Singh, P.S. Beas, admitted that the recovery has already been effected from the co-accused and the case property has been released on superdari to the complainant. He further seeks time to file status report/reply.

5. Adjourned to 02.08.2024.

6. Needful be done well before the date fixed with an advance copy to the counsel opposite.



7. In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to 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.

8. Investigating officer to remain present in Court along with record on the next date of hearing.”

7. 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 24.07.2024 passed by this Court, interim bail granted vide order dated 24.07.2024 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.

8. The petition stands allowed.

(SANJIV BERRY)
JUDGE

02.08.2024
S.Sharma(syr)

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