

The learned State counsel on instructions from ASI Raghbir Singh, submits that the petitioner has not joined the investigation.

In view of the law enunciated by the Hon’ble Supreme Court in *Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273* and *Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833*, the present petition is allowed. The petitioner is directed to appear before the Investigating Officer within two weeks from today. Thereafter, he will continue to join the investigation as and when called by the Investigating/Arresting Officer and shall cooperate with the Investigating/Arresting Officer and abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.

(HARPREET SINGH BRAR)
JUDGE

25.01.2024
Neha

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