

2024:PHHC:050685

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

209A

CRM-M-60341-2023
Date of Decision : April 15, 2024

RAVI KUMAR

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. Pardeep Bajaj, DAG, Punjab.

Mr. G.S.Ghuman, Advocate
for the complainant.

KULDEEP TIWARI, J. (Oral)

1. On the last date of hearing, i.e. 1.12.2023, the following
order was passed:-

“1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner has sought the concession of anticipatory bail, in case FIR No.203 dated 09.11.2023, under Sections 341/379-B/506/34 of the IPC, registered at P.S. Sadar Jalandhar, District Police Commissionerate Jalandhar.

2. Mr. G.P.S. Ghuman, Advocate, records his appearance on behalf of the complainant, under a memorandum of appearance, instituted before this Court today, and, as prayed for, he is permitted to file a validly executed Vakalatnama in his favour by the complainant, on or before the subsequent date of hearing.

3. At the very outset, the learned counsel for the

complainant has drawn attention of this Court towards paragraph No.17 of the instant petition, wherein, it is recorded that there is no FIR registered against the petitioner, except FIR No.136/2018, whereas, in fact he is involved in three other FIRs also.

4. Faced with this situation, the learned counsel for the petitioner made a submission that the error pointed hereinabove appears to be an outcome of some miscommunication between him and his client. Therefore, he seeks an opportunity to file an additional affidavit, detailing therein, the pendency of FIRs against the petitioner.

5. The asked for opportunity is granted to the petitioner and he is permitted to file an additional affidavit within a week from today.

6. Notice of motion for 17.01.2024.

7. Mr. Karunesh Kaushal, A.A.G, Punjab, accepts notice on behalf of respondent-State of Punjab.

8. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.

9. To be heard with CRM-M-60049-2023.”

2. Today, the learned State counsel on instructions imparted to him by the official concerned, submits that the petitioner has already joined the investigation and he is fully co-operating with the investigation process and he is not required for any further custodial investigation.

3. In view of the specific stand taken by the learned State counsel, the present petition is **allowed** and order dated 1.12.2023 is, hereby, made absolute subject to the condition that the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

(KULDEEP TIWARI)
JUDGE

April 15, 2024
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No