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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.6343 of 2015
Date of Decision: 10.04.2015

KAMALJIT SINGH @ HAPPY

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sumer Singh Brar, Advocate
for the petitioner.

Mr. Varun Sharma, A.A.G., Punjab.

1. *Whether Reporters of local papers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

RAJ MOHAN SINGH, J. (Oral)

The petitioner seeks grant of anticipatory bail in case bearing FIR No.98 dated 04.10.2014, under Sections 307, 148 and 149 IPC, P.S. Balachaur, District Shaheed Bhagat Singh Nagar.

This Court on 09.03.2015 passed the following order:-

"CRM No.7571 of 2015

Application is allowed.

Annexure A-1 is taken on record.

CRM-M No.6343 of 2015

Learned counsel for the petitioner submits that the petitioner is not named in the FIR and no specific role has been attributed. The injury dangerous to life is attributed to Jaspreet Singh @ Jassi who inflicted gandas blow on the

head of the Onkar Singh as per the facts given in the FIR.

Learned counsel further submits that the complicity qua the petitioner came in the statement of one Rajwinder Singh who has been cited as witness and whose statement has been recorded by the Police under Section 161 Cr.P.C. Perusal of the statement under Section 161 Cr.P.C. gives name of Happy son of Rana Pathi. Learned counsel also submits that with this nomenclature, petitioner cannot be equated with Happy as name of his father is Raghbir Singh.

Learned counsel for the State however, submits that the injured Onkar Singh has virtually become crippled on account of injury on his head and now is unable to speak after remaining in coma for about one and half month.

Considering, all the facts and circumstances of the case, let the petitioner appear before the Investigating Officer and join the investigation on 16.03.2015 at 10.00 a.m.

In the event of arrest, petitioner shall be admitted to interim bail, subject to the satisfaction of the Arresting Officer. However, he shall abide by the conditions incorporated under Section 438(2)Cr.P.C.

List on 10.04.2015.”

In compliance to the aforesaid order, learned counsel for the petitioner states that the petitioner has joined the investigation and undertakes to join further investigation as and when called upon to do so by the Investigating Agency.

Learned State counsel on instructions from ASI Gurmeet Singh admits the same and states that custodial interrogation of the petitioner is no more required in further investigation of the case.

In view of the above, order dated 09.03.2015 is made absolute.

Petitions stands disposed of.

April 10, 2015

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**(RAJ MOHAN SINGH)
JUDGE**