

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

**CRM No.M-11938 of 2016 (O&M)
Date of decision : 30.05.2016**

Harpreet Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. N.P.S. Mann, Advocate for the petitioner.
Ms. Manpreet Dhaliwal, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J.

The present petition has been filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in the cross case registered vide DDR No.28 dated 05.01.2016, under Sections 324/323/148/149 IPC (Section 326 IPC added later on) in case FIR No.1 dated 05.01.2016, under Sections 324/323/148/149 IPC, registered at Police Station Kot Isse Khan, District Moga.

On 23.04.2016, while issuing notice of motion, the following order was passed by this Court:

“Present petition has been filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in cross case registered vide DDR No.28 dated 5/1/2016 under sections 324, 323, 148, 149 I.P.C (section 326 I.P.C was added later on) in main case bearing F.I.R. no.1 dated 5.1.2016 under sections 324, 323, 148, 149 I.P.C, registered at Police Station, Kot Isse Khan, District Moga.

Counsel would contend that it is a case of version and cross-version. It is submitted that in the occurrence even brother of the present petitioner namely Laljeet Singh had suffered an injury and on account of which offence under Section 326 I.P.C had been cited in the main F.I.R. Counsel would also advert to an order dated 24.3.2016, passed by this Court in CRM No. M-6469 of 2016, whereby Gurpreet Singh

@ Nitu, one of the accused in the main F.I.R has been granted ad interim protection as regards arrest.

Notice of motion, returnable for 30.5.2016.

To be listed along with CRM No. M-6469 of 2016.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/ Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel upon instructions from ASI Baljinder Singh would apprise the Court that the petitioner has since joined investigation and is not required for any custodial interrogation.

Petition is allowed. Order dated 23.04.2016 passed by this Court is made absolute.

Disposed of.

30.05.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**