

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

CRM-M -19168 of 2016 (O&M)

Date of decision: 26.09.2016

Balwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Ms. G.K. Mann, Advocate
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.
assisted by ASI Vijay Pal Singh.

Mr. IPS Kohli, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.63 dated 30.04.2016, registered under Sections 308, 323 read with Section 34 IPC, at Police Station B. Division, District Amritsar.

On 30.05.2016, this Court had passed the following order:-

“Prayer is for grant of anticipatory bail to accused petitioner Balwinder Singh in case FIR No.63 dated 30.4.2016 under Sections 308,323,34 IPC,PS B.Division,District Amritsar.

Complainant Vinod Kumar alleges that he was passing in front of the house of the accused at around 6 pm on 18.4.2016 when the petitioner accused and his co-accused son abused him and gave beatings to him and also snatched a sum of Rs.50,000/- from his pocket and a gold chain from his neck.

It is contended that complainant was a tenant in the premises owned by the petitioner accused and was made to vacate the same. On account of that grudge he had abused the petitioner and even attributed injuries with brick bats lying on the road. It is thus contended that a sudden altercation had taken place. It is further contended that police found the allegations regarding snatching of money and gold chain to be false.

Notice of motion for 10.8.2016.

In the event of arrest, the petitioner shall be released on bail on furnishing adequate bail and surety bonds to the satisfaction of the Arresting/Investigating Officer. Petitioner shall appear before the I.O., as and when called upon for investigation and shall also be bound by all the conditions stipulated in Section 438(2) Cr.P.C.”

It is contended that in pursuance of the order dated 30.05.2016, the petitioner has joined the investigation.

The learned State counsel, on instructions submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

Heard.

The complainant was tenant of the petitioner who allegedly had taken Rs. 3,50,000/- for vacating the shop. In

pursuance of order dated 10.08.2016, the report from Govt. Medical College, Amritsar has been received wherein it has been mentioned that there is possibility of the injuries being caused as a result of fall on the hard surface. The petitioner has joined the investigation, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 30.05.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

26.09.2016

sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable:	Yes	No