

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

CRM-M -30730 of 2016 (O&M)
Date of decision: 19.12.2016

Kuldeep Singh @ Sabhi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Sandeep Kumar, Advocate for
Mr. Ishaan Pasricha, Advocate for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab
assisted by ASI Dilbagh Singh.

Mr. J.S. Thind, 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.23 dated 20.03.2016, registered under Sections 323, 324, 341, 295, 379-B and 148 read with Section 149 of IPC, at Police Station Subhanpur, District Kapurthala.

On 01.09.2016, this Court had passed the following order:-

“The learned counsel refers to Annexure P-2 to contend that the petitioner has received six injuries and out of them, injury No.1 has been declared grievous in nature. The injury suffered on the person of injured-Sukhdev Singh is not on the vital part.

Notice of motion.

At this stage, Ms. Harsimrat Rai, DAG, Punjab accepts

notice on behalf of respondent-State. A complete set of paperbook has been handed over to her in the Court.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-

- 1. That he shall make himself available for interrogation by a police officer as and when required;*
- 2. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*
- 3. That he shall not leave India without previous permission of the Court.*

Post again on 27.10.2016.”

It is contended that in pursuance of the order dated 01.09.2016, 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.

On the other hand, the learned counsel for the complainant opposes the bail application.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 01.09.2016, 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.

17.12.2016

sumit.k

(JITENDRA CHAUHAN)
JUDGE

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