

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

CRM-M-33891-2016 (O&M)

Date of decision : 16.11.2016

Resham Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Nikhil Bhatia, Advocate,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by ASI Shamsheer Singh.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks pre-arrest bail under Section 438 of the Code of Criminal Procedure, in FIR No.0063 dated 02.09.2016, registered under Sections 307, 379-B, 323, 506 and 148 read with Section 149 of the Indian Penal Code, at P.S. Bariwala, Distt. Shi Muktsar Sahib.

It is contended that there is an inordinate and unexplained delay of more than 17 hours in registration of the instant FIR. The injuries on the person of the complainant are simple in nature, therefore, no offence under Section 307 IPC is made out. The petitioner has joined the investigation in pursuance of the orders passed by this Court.

On the other hand, learned State counsel, on instructions, states that though the petitioner has joined the investigation, but he is not cooperating inasmuch as the recovery of Rs.3,500/- is yet to be effected.

Heard.

The injuries on the person of the complainant have been found

ATUL SETHI
I attest to the accuracy and
authenticity of this document
Chandigarh

to be simple in nature. The petitioner has repeatedly joined the investigation.

In view of the above and without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 23.09.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

However, nothing noticed hereinabove shall be construed as an expression of opinion of this Court, on the merits of the case.

16.11.2016
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(JITENDRA CHAUHAN)
JUDGE

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