

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36833 of 2016
DECIDED ON: January 10, 2017

KHUSWINDER SINGH

.....PETITIONER..

VERSUS

STATE OF PUNJAB

....RESPONDENT..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Charanpreet Singh, Advocate
for the petitioner.

Mr. B.S. Cheema, DAG, Punjab.

JASPAL SINGH, J (ORAL)

Through the instant petition preferred under Section 438 of the Code of Criminal Procedure, petitioner-Khuswinder Singh has sought pre-arrest bail, feeling apprehension of his arrest, in case bearing FIR No.50, dated 07.07.2016, under Sections 326, 324, 323, 452 and 34 IPC, Police Station Khalra, District Tarn Taran.

2. At the time of issuance of notice of motion, following order was passed by this Court on 17.10.2016:-

“Inter-alia, it has been contended by learned counsel for the petitioner that only simple injury has been attributed which is alleged to have been caused with Datar on the wrist of the complainant. The said injury falls within the ambit of Section 324 IPC only. Petitioner undertakes to join the investigation and cooperate with the Investigating Agency.

Notice of motion for 10.01.2017.

In the meanwhile, petitioner is directed to join the

investigation within seven days from the date of certified copy of this order. In the event of arrest, petitioner shall be released on interim bail at the satisfaction of the Arresting Officer/Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.”

3. Learned State counsel on instructions from ASI Bhagwant Singh, Police Station Khalra, District Tarn Taran has submitted that in compliance of order dated 17.10.2016, the petitioner has already joined the investigation and is no more required for further investigation. Even otherwise, weapon of offence stated to be used by the petitioner has also been recovered.

4. Taking into consideration the aforesaid aspects of the case but without expressing any opinion on the merits, the petition is allowed and order dated 17.10.2016 is made absolute and shall enure during the pendency of trial but subject to the conditions provided under Section 438 (2) Cr.P.C.

January 10, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether reportable: *Yes/No*