

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-42874 of 2016 (O&M)

Date of Decision: 07.02.2017

Suba Singh

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. V.K. Sharma, Advocate for
Mr.V.K. Sandhir, Advocate for the petitioner.

Ms. Harpreet K. Athwal, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.87 dated 05.08.2016 under sections 326, 323, 324, 34 I.P.C, registered at Police Station, Lopoke, District Amritsar.

On 01.12.2016, while issuing notice of motion, the following order was passed by this Court:-

“Inter-alia, learned counsel for the petitioner contends that initially the FIR was registered under Sections 323, 324 IPC with the aid of Section 34 IPC but subsequently after 4 months, offence falling within the purview of Section 326 IPC has been added. Earlier, the petitioner appeared before the jurisdictional Magistrate and was granted the concession of bail.

Notice of motion for 7.2.2016.

Meanwhile, petitioner is directed to join investigation. In the event of arrest, petitioner is ordered to be released on interim bail to the satisfaction of Arresting Officer, subject to compliance of conditions enshrined under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from H.C Lakhwinder Singh would apprise the Court that the petitioner has since joined investigation and even the weapon (*Datar*) which was allegedly used by the petitioner for inflicting the injury, which has attracted offence under Section 326 I.P.C, has since been recovered. It has been clearly stated that the petitioner is no longer required for custodial interrogation.

Accordingly, the present petition is allowed. The order dated 1.12.2016, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

07.02.2017

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Whether speaking/reasoned:	Yes
Whether Reportable:	No