

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

**CRM-M-42690-2017
Date of decision: 22.02.2018**

Gurdial Singh @ Kaa

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

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

Mrs. Anju Arora, Addl. A.G., Punjab.

JAISHREE THAKUR, J. (ORAL)

This Court was pleased to pass the following order on
13.11.2017 :-

“This is a petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner herein, in the event of arrest, in case FIR No. 90 dated 01.09.2017, under Sections 323, 452, 354, 148 and 149 of the IPC, registered at Police Station Mehtiana, District Hoshiarpur.

Counsel for the petitioner contends that a cross version has been registered against the complainant on the statement suffered by one co-accused Amardeep Singh in which a DDR under Section 323, 325, 34, 427 and 506 of the IPC has been registered. It is argued that Amardeep Singh has suffered grievous injuries, whereas only simple injuries have been shown on the complainant. It is also argued that only allegation against the petitioner herein is that he torn the clothes of the complainant with the intention of insulting her. Counsel for the petitioner urges that an effort for mediation

was already made which did not fructify. He also submits that the petitioner is ready to join investigation and no recoveries are to be made from him.

Notice of motion for 22.02.2018.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner submits that the petitioner has joined the investigation.

Learned counsel for the respondent-State confirms the factum of joining investigation by the petitioner.

Since the petitioner has joined the investigation, the petition is allowed and interim order dated 13.11.2017 is hereby made absolute subject to the condition that the petitioner will not tamper with evidence or hamper the investigation; will not leave India without permission of the Court and will comply with the conditions contained in Section 438(2) Cr.P.C.

22.02.2018

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned

Yes.

Whether reportable

No.