

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

204

CRM-M-3718-2019 (O & M)
Date of Decision:08.03.2019

Diyala @ Dyal Masih

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: None for the petitioner.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

MANOJ BAJAJ, 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.172 dated 29.09.2018, under Sections 323, 324, 326 (added later on Sections 148 and 149) of the Indian Penal Code ('IPC' – for short) registered at Police Station Majitha, District Amritsar.

On 01.02.2019, this Court had passed the following order:-

“Learned counsel for the petitioner contends that the alleged occurrence took place on 18.08.2018, whereas the FIR was recorded on 29.09.2018. He further submits that the petitioner also suffered injuries and MLR reveals that the petitioner suffered 6 injuries.

Adjourned to 08.03.2019.

In the meanwhile, petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating

Officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C. ”

Learned State counsel on instructions from ASI Tarsham Singh submits that the petitioner has joined the investigation and he is not required for custodial interrogation. The injury attributed to him falls within ambit of Section 324 IPC.

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 01.02.2019, is made absolute.

The petition stands allowed.

08.03.2019
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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No