

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

205

CRM-M-4080-2019 (O & M)
Date of Decision:08.04.2019

Nishan Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Shakti Mehta, Advocate
for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab.

Mr. K.S. Randhawa, Advocate
for the complainant.

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 General Diary No.021 dated 16.09.2018, under Sections 323/341/506/34 of the Indian Penal Code ('IPC' – for short) and (Sections 308/355 IPC added later on) in case FIR No.257 dated 16.09.2018 under Sections 323/341/506/34 IPC, registered at Police Station Patran, District Patiala.

On 29.01.2019, this Court had passed the following order:-

“Learned counsel for the petitioner contends that on the statement of the petitioner (Nishan Singh), FIR No.257 dated 16.09.2018 (Annexure P-2) was recorded for the offences punishable under Sections 323, 341, 506 and 34 IPC. Later on a cross-case was set up by Jiwan Singh through general diary No.21 dated 16.09.2018, wherein the petitioner is described as an accused. It is pointed out that co-accused in the cross-version has

already been granted concession of anticipatory bail.

Notice of motion for 11.03.2019.

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 counsel for the petitioner contends that in pursuance of the order dated 29.01.2019, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Jaswant Singh submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

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 29.01.2019, is made absolute.

The petition stands allowed.

08.04.2019

sheetal

(MANOJ BAJAJ)
JUDGE

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