

CRM-M No. 4552 of 2019

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

CRM-M No. 4552 of 2019

Date of Decision: 28.02.2019

Gurpreet Singh @ Gura

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr.P.K.S.Phoolka, Advocate for the petitioner.
Mr.C.L.Pawar, Sr.DAG, Punjab.
Mr.S.S.Majithia, Advocate for complainant.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short 'Cr.P.C') for grant of pre arrest bail to the petitioner in case FIR No.02 dated 04.01.2019, under Sections 341, 323, 148 and 149 of the Indian Penal Code, 1860 (for short 'IPC') (Sections 308 and 325 IPC added lateron) registered at Police Station Nahianwala, District Bathinda.

While issuing notice of motion, this court passed the following order on 31.01.2019:-

“Contends that there is delay of five days in lodging the FIR as the alleged occurrence has taken place on 30.12.2018 and FIR was registered on 04.01.2019. Further contends that the petitioner has been attributed the injury with Baseball Bat on the wrist of left arm of the complainant.

Notice of motion for 28.02.2019.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail in the present case till the next date of hearing on his furnishing

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adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State Counsel, on instructions from ASI Sukhpal Singh has acknowledged that in terms of the previous order the petitioner has joined the investigation and his custodial interrogation is no longer required in this case.

In view of above, the interim order dated 31.01.2019 is made absolute, subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

28.02.2019

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**(MAHABIR SINGH SINDHU)
JUDGE**

*Whether speaking/reasoned
Whether Reportable*

*Yes/No
Yes/No*