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

CRM-M-13146 of 2019

Date of decision: September 19, 2019

Harninder Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. A.D.S. Sukhija, Advocate for the petitioner.

Mr. H.S. Multani, AAG Punjab.

Mr. R.S. Bains, Advocate for respondent No.2.

MAHABIR SINGH SINDHU, J

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to petitioner, in FIR No.10 dated 21.02.2019, under Sections 307, 323, 341, 506, 34 of the Indian Penal Code, 1860 (for short 'IPC') and Section 25 of the Arms Act, 1959 (for short 'Arms Act'), registered at Police Station Badali Ala Singh, District Fatehgarh Sahib.

As per prosecution case, petitioner has been attributed the head injury, which was given to Gursewak Singh with *khurchana* (scraper).

On 20.03.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that injury attributed to the petitioner is simple in nature.

Notice of motion for 01.05.2019.

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 till the next date of hearing on his furnishing 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 Assistant Sub Inspector Major Singh, has stated that in terms of order dated 20.03.2019, the petitioner has joined investigation and his custodial interrogation is not required as weapon of offence is recovered.

In view of the above, order dated 20.03.2019 granting interim bail to the petitioner, is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

September 19, 2019

mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No