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

CRM-M-21056 of 2019

Date of decision: July 25, 2019

Ajaib Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. H.S. Jalal, Advocate for the petitioner.

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

Mr. Lalit Kumar, Advocate for the complainant.

MAHABIR SINGH SINDHU, J (Oral)

Present second 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 the petitioner, in FIR No.20 dated 20.03.2019, under Sections 323, 341, 506, 452, 148, 149 of Indian Penal Code, 1860, registered at Police Station Khamano, District Fatehgarh Sahib.

As per prosecution case, petitioner along with co-accused inflicted injuries to the complainant and her father-Nachattar Singh.

On 09.05.2019, while issuing notice of motion, this Court has passed the following order:-

“Learned counsel for the petitioner contends that as per the allegations in the FIR, the petitioner was unarmed and even otherwise, there is delay of two days in lodging the FIR.

Notice of motion returnable on 25.07.2019.

Mr. Lalit Kumar, Advocate appears and files vakalatnama on behalf of the complainant and the same is taken on record.

In the meanwhile, the petitioner is directed to join

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) of Code of Criminal Procedure, 1973.”

Learned State counsel, on instructions from Assistant Sub Inspector Sukhwinder Singh, has submitted that petitioner has joined investigation in terms of order dated 09.05.2019 and his custodial interrogation is not required.

In view of the above, order dated 09.05.2019 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

July 25, 2019
mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No