

208-2

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

CRM-M-23699 of 2019

Date of decision: November 07, 2019

Sukhwant Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. D.S. Sandhu, Advocate for the petitioner.

Mr. H.S. Multani, AAG Punjab.

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.20 dated 21.03.2019, under Sections 307, 341, 506, 148, 149 of the Indian Penal Code, 1860 (for short 'IPC') and Sections 25/27 of the Arms Act, 1959 (for short 'Act'), registered at Police Station Dhilwan, District Kapurthala.

On 23.05.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that injuries, attributed to the petitioner, are simple in nature. Further contends that complainant/injured, namely, Vijay Kumar is already facing two criminal cases i.e. FIR No.136 of 2017, under Sections 323, 324, 326, 341, 506, 148, 149, IPC, registered at Police Station Kartarpur, Jalandhar and FIR No.108 dated 01.09.2018, under Sections 323, 324, 341, 120-B, 148, 149, IPC, registered at Police Station Subhanpur, District

Kapurthala, lodged at the instance of petitioner's side, he has been declared as proclaimed offender also and present case is a counter blast to the above FIRs.

Notice of motion for 18.07.2019.

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 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.

To be heard along with CRM-M-22588-2019.”

In pursuance of order dated 17.08.2019 passed by this Court, status report by way of affidavit of Dr. Simrat Kaur, Assistant Superintendent of Police, Sub Division Bholath, District Kapurthala already filed in the Registry, is taken on record.

Perusal of the same reveals that there are two other criminal cases against the petitioner, but he is on bail in both the cases.

Learned State counsel, on instructions from ASI Bhagwant Singh, has stated that in terms of order dated 23.05.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 23.05.2019 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

November 07, 2019
mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No