

212-2

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

CRM-M-26842 of 2019

Date of decision: September 25, 2019

Gurkewal Singh @ Kewal Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Kuljinder Singh Dhindsa, Advocate for the petitioner.

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

Mr. Gurpreet Singh Sandhu, Advocate for the complainant.

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.61 dated 19.05.2019, under Sections 295, 341, 323, 506, 148, 149 of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Dialpura, District Bathinda.

On 14.06.2019, while issuing notice of motion, this Court has passed the following order:-

“It is, inter alia, contended that co-accused Sulakhan Singh had been granted interim bail vide order dated 6.6.2019 passed in Crl. Misc.No.M-26473 of 2019 (Annexure P-5). Moreover, nothing is to be recovered from the petitioner keeping in view the allegations made in the FIR and thus, his custodial interrogation is not necessary.

Notice of motion for 9.8.2019.

To be heard along with Crl. Misc.No.M-26473 of 2019

(Annexure P5).

In the meantime, the petitioner is directed to join investigation with the Investigating Officer on 24.6.2019 at 10:00 A.M. and cooperate therewith. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/SHO concerned subject to his compliance of the conditions enshrined under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from police official present in Court to assist him, has stated that in terms of order dated 14.06.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 14.06.2019 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 25, 2019
mahavir

Whether speaking/ reasoned: Yes/No
Whether Reportable: Yes/No