

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

CRM-M-27477-2019

Date of decision-01.10.2019

Arman Singh @ Rama @ Ram Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Molsari Singh, Advocate for
Ms. G.K.Mann, Advocate for the petitioner.

Mr. Balbir Singh Sewak, Addl.A.G, Punjab assisted by
ASI Ranjit Singh.

Mr. Gaurav Mannan, Advocate for the complainant.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.0044 dated 24.02.2019 under Sections 323, 324 and 148 read with Section 149 of Indian Penal Code, 1860 (Section 326 IPC added later on) registered at Police Station Ajnala, District Amritsar Rural. The petitioner apprehend his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 28.06.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that initially FIR was registered under Sections 323, 324,

148, 149 IPC. Offence under Section 326 IPC was added after a gap of about 02 months. Occurrence took place on 16.02.2019 and the FIR came to be registered only on 24.02.2019.

Learned counsel further contends that CCTV footage of the incident would lead to debatable issue in the context of presence of the petitioner as there was previous litigation wherein petitioner was assaulted by the complainant party on 17.12.2018.

Notice of motion for 23.07.2019.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 08.07.2019 and in the event of his arrest, he shall be enlarged on ad interim bail, subject to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to her, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Ranjit Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Ranjit Singh further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 28.06.2019 is made absolute.

01.10.2019

vanita

(MANOJ BAJAJ)

JUDGE

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No