

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

CRM-M-37145 of 2019

Date of Decision: 20.09.2019

Punjab Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Amit Arora, Advocate
for the petitioner.

Mr. Harpreet Singh Multani, AAG, Punjab.

MAHABIR SINGH SINDHU, J.(Oral)

Present petition has been filed under Section 438 Cr.P.C.
seeking pre arrest bail in case FIR No.106 dated 09.11.2018, under
Sections 323, 324, 452, 326, 427, 148 and 149 of the Indian Penal
Code registered at Police Station Chohla Sahib, District Tarn Taran.

On 04.09.2019 while issuing notice of motion the
following order was passed by this Court:

“ Contends that the alleged occurrence had taken place
on 28.10.2018 and the present FIR has been registered
on 09.11.2018. Thus, there is a delay of about 11 days in
registration of FIR.

Notice of motion for 20.09.2019.

In the meanwhile, 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)
Cr.P.C.”

It is contended by learned counsel for the petitioner that

in terms of the above order, petitioner has already joined investigation.

Learned State counsel on instructions from ASI Satwant Singh has acknowledged the above factual position and stated that the custodial interrogation of the petitioner is no longer required in the present case.

In view of the above, order dated 19.08.2019 is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off.

However, it is made clear that above observations may not be construed as an expression of opinion on the merit of the case pending before learned trial Court.

[MAHABIR SINGH SINDHU]
JUDGE

September 20, 2019
rashmi

Whether speaking/reasoned
Whether reportable?

Yes/no
Yes/no