

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41991-2019(O&M)

Date of decision: 13.11.2019

Zishan

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Aruz Khan, Advocate for the petitioner

Mr. S.P.S.Tinna, Addl. AG, Punjab

Mr. Gulzar Mohd., Advocate for complainant

ANIL KSHETARPAL, J. (ORAL)

On 30.9.2019, following order was passed by this Court:-

“Petitioner prays for grant of pre-arrest bail in criminal case arising from FIR No.111 dated 30.7.2019 registered under Sections 342, 323, 379, 506, 148, 149 IPC at Police Station Kartarpur, District Jalandhar Rural.

Learned counsel for the petitioner contends that petitioner is not attributed to have given any injury to the injured although he has been shown to be present at the spot. He further relies upon an order dated 19.9.2019 passed in case of a co-accused bearing CRM No. M-40042 of 2019 titled as Mohammad Usman versus State of Punjab.

Notice of motion.

On the asking of the Court, Mr. S.P.S.Tinna, Additional Advocate General, Punjab, accepts notice on behalf of the State.

Let copy of the petition be handed over to the learned State counsel during the course of the day.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

List alongwith CRM M-40042 of 2019 on 5.11.2019.”

Thereafter, on 5.11.2019, following order was passed:-

“Learned State counsel on instructions from ASI Balwinder Singh has submitted that petitioner has not joined investigation.

Learned counsel for the petitioner submits that as per his instructions, petitioner has joined investigation, however, he is not joining issue on this ground. He submits that petitioner be granted one more opportunity.

Adjourned to 13.11.2019.

In the meantime, petitioner is directed to join investigation at Police Station Kartarpur, District

Jalandhar on 9.11.2019 at 10:00 A.M.”

Learned State counsel on instructions from ASI Balwinder Singh has submitted that petitioner has joined investigation, cooperated and not required for further custodial interrogation.

In view of the above, order dated 30.9.2019 is hereby made absolute.

Petition stands allowed.

13.11. 2019
rekha
Whether speaking/reasoned
Whether Reportable

(ANIL KSHETARPAL)
JUDGE
Yes / No
Yes / No