

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

CRM-M-12730-2020 (O&M)

Date of decision : 05.08.2020

Vipul Nayyar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. S.S. Goraya, Advocate for the petitioner.

Mr. S.P.S. Tinna, Addl. A.G. Punjab.

ANIL KSHETARPAL, J. (ORAL)

On 21.05.2020, the following order was passed by this Court:-

“The petitioner prays for grant of pre-arrest bail in a criminal case arising from FIR No.59 dated 15.3.2020 registered under Sections 353, 186, 323 IPC at Police Station Rama Mandi, District Jalandhar.

The facts of the case have been noticed by the learned Additional Sessions Judge, Jalandhar in para 3 of the impugned order which are extracted as under:-

“3. The present FIR in question has been registered on the statement of complainant Jaswinder Kumar Constable. As per his version that on 15.3.2020 he went to the house of Raj Kumar for the execution of the Non bailable warrants of arrest issued by the Court of Ms. Damandeep Kamal Heera, JMIC, Jalandhar. At about 12:00 noon when he reached the house of Raj Kumar, where Vipul Nayyar s/o Brij Mohan and his wife was also came and asked about the purpose of visit, then complainant told

them that he has come for the execution of the warrants and accused started using abusive language against him and he started saying that how the court can issue nonailable warrants of arrest. He started raising voice and attacked the complainant and pushed him and give fist blows on the complainant and caused injuries on the person of the complainant. Accordingly, the FIR was registered against the accused.”

After hearing learned counsel for the parties, it is considered appropriate to direct the petitioner to join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to 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.

Adjourned to 5.8.2020.”

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

In view thereof, the order dated 21.05.2020 passed by this Court is made absolute.

Accordingly, the present petition is allowed.

05.08.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No