

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

202)

CRM-M-13111 of 2020

Date of Decision: 19.06.2020

Kewal Masih

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH**

Present:- Mr. Vipin Mahajan, Advocate, for the petitioner.  
Mr. Bhupender Beniwal, AAG, Punjab.  
Mr. Amrinderjit Singh, Advocate, for the complainant.

**Amol Rattan Singh, J. (Oral)**

All the cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

Learned State counsel, on instructions from Sub-Inspector Charanjit Singh, submits that the petitioner has joined investigation and his custodial interrogation is not required presently.

However, learned counsel for the complainant submits that the petitioner having been attributed three injuries on the person of the complainant, he does not deserve the concession of anticipatory bail.

Having considered the matter, it is obvious to notice here that the petition is one seeking an anticipatory bail, with the accused (petitioner who has filed the petition), made to join investigation, after which whether his custodial interrogation is required or not is up to the investigating agency and therefore the contention of the learned counsel for the complainant, at least in this petition, is not maintainable.

In view of the statement made by the learned State counsel, on instructions, the present petition is allowed, with the order dated May 28, 2020 made absolute, on the same terms and conditions.

However, if the complainant is aggrieved of the manner of investigation, a separate remedy lies for that purpose, which obviously he is always at liberty to avail of. Equally obviously, if cancellation of the bail granted is sought on any ground, an appropriate application by a competent person, can also be filed, with any of the aforesaid petitions to be considered on their own merits.

19.06.2020  
Vcgarg/nitin

**(AMOL RATTAN SINGH)**  
**JUDGE**

**Whether speaking/reasoned: Yes**  
**Whether reportable: no**