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

CRM-M-19157-2020 (O&M)

Date of decision : 09.09.2020

Dayal Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Ms. Isha Goyal, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

On 17.07.2020, the following order was passed:-

“Heard through video conferencing.

This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.80 dated 10.06.2020 under Sections 326, 323, 506/34 IPC registered at Police Station Gharinda, District Amritsar.

It has been contended by the learned counsel for the petitioner that the only role attributed to the petitioner in the FIR is that he had raised a lalkara. It has further been contended that though the incident is alleged to have taken place on 20.04.2020, however, the FIR was lodged on 10.06.2020. It is further contended that a perusal of the order passed by the Additional Sessions Judge, Amritsar dated 03.07.2020 reveals that the occurrence had taken place on 20.04.2020, whereas, the MLR is dated 12.04.2020. Notice of motion.

On the asking of the Court, Mr. Jagmohan Singh Ghuman, DAG, Punjab has joined the session through video

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conferencing and accepts notice. Learned State counsel, on instructions from ASI Angrej Singh, submits that the role attributed to the petitioner in the FIR is that he had raised a lalkara and the injury suffered by the complainant has been attributed to co-accused.

List on 09.09.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for. In the event of arrest, the petitioner shall be admitted to bail on his furnishing adequate surety and personal bonds to the satisfaction of the Arresting Officer. The petitioner shall abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.”

Today learned counsel for the State, on instructions from ASI Major Singh, has stated that the petitioner has since joined the investigation on 05.09.2020 and he is no longer required for any further investigation as of now. He further states that no recovery is to be made from the petitioner.

In view of the above, the order dated 17.07.2020 is made absolute. The petitioner shall, however, join the investigation as and when called for. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

The present petition stands disposed off accordingly.

(ALKA SARIN)
JUDGE

09.09.2020
Yogesh Sharma

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO