

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

204

**CRM-M-20617-2020
Decided on : 05.10.2020**

Dhian Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Vipin Mahajan, Advocate for the petitioner.

Mr. Ramandeep Singh, DAG, Punjab.

(The proceedings are being conducted through
video conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

The petitioner in the present petition filed under Section 438 Cr.P.C., seeks grant of anticipatory bail in case FIR No.39 dated 27.04.2020 under Sections 323, 324, 326, 336, 148, 149 IPC and Section 25 of Arms Act, registered at Police Station Shri Hargobindpur, Police District Batala, District Gurdaspur.

On 28.07.2020 the petitioner was directed to join investigation.

The said order reads as under:-

“Counsel for the petitioner, inter alia, submits that a compromise had been initially arrived at between the parties (Annexure P-3) regarding demarcation and not to interfere in the possession of each other. The father of the petitioner had also filed a suit against the father of the complainant, Jagir Singh (Annexure P-4) for permanent injunction. The present incident is a case of free-fight inter se both the parties and a cross-case has also been registered at the instance of the petitioner (Annexure P-7) who has also received a grievous injury on the left forearm, as per the medico-legal report (Annexure P-5).

It is further submitted that the alleged grievous injury on the part of the complainant which is attributed to the petitioner is on the right thumb, as per Annexure P-2) and the complainant has also been granted the benefit of anticipatory bail by the Court below, for the grievous injury he has inflicted on the petitioner, after the application of the petitioner was dismissed on 02.06.2020. It is, accordingly, submitted that the petitioner is willing to join the investigation.

Notice of motion for 05.10.2020.

State Counsel accepts notice on behalf the State.

In the meantime, it is directed that the petitioner shall join investigation and in the event of arrest of the petitioner, he shall be released on ad-interim bail by the investigating officer. The petitioner shall join investigation as and when required and shall comply with the conditions laid down in Section 438(2) Cr.P.C. ”

Counsel for the State on instructions received from ASI Daljit Singh submits that in pursuance of the above said order, the petitioner has joined investigation and is not required for custodial interrogation.

Accordingly, the present petition is allowed by confirming the interim order dated 28.07.2020.

OCTOBER 05, 2020

Naveen

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No