

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211)

CRM-M-26859 of 2020

Date of Decision:10.11.2020

Jagtar Singh alias Tari and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. S.S.Sidhu, Advocate, for the petitioners.
Mr. Saurav Khurana, DAG, Punjab

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.

On 14.09.2020, the following order had been passed:

“This matter is being taken up for hearing through video conferencing due to the outbreak of pandemic, COVID-19.

Learned counsel for the petitioner submits that no specific injury has been attributed to the present petitioners. Though about ten to twelve persons are stated to be involved in this FIR, the complainant and one Sukhvir Singh have suffered only two injuries and those are also attributed to the other co-accused Amrit and Sikander. The petitioner is statedly not involved in any other criminal case.

Learned counsel for the State informs that in terms of order dated 09.09.2020, passed by the co-ordinate Bench, the complainant has been informed, however, none has appeared on behalf of the complainant.

In the interest of justice, adjourned to 10.11.2020.

In the meanwhile, the petitioners shall join investigation as and when required by the Investigating Officer. In the event of their arrest, the petitioners shall be released on bail to the satisfaction of Investigating Officer. Petitioners shall comply with the conditions stipulated in Section 438(2) Cr.P.C.”

Today, learned State counsel, on instructions, submits that the petitioner has joined investigation and presently at least his custodial interrogation is not required.

That being so, without making any comment on the actual merits of the case, whatsoever, since the investigating agency itself does not require the custodial interrogation of the petitioner, this petition has in fact been rendered infructuous and is disposed of as such.

However, if the petitioners' custodial interrogation is required at any stage hereafter, in the context of the FIR in question, he would be given 7 days notice before arrest, duly shown to be served upon him.

Naturally, if the complainant is aggrieved in any manner, of lack of proper investigation, he/she would be always at liberty to avail of his/her remedy as per law.

10.11.2020
vcgarg

(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No