

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

213-1

CRM-M-26258 of 2019

Date of Decision: 15.01.2020

Sandeep Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MANOJ BAJAJ

Present: Mr.Gurvinder Singh Sidhu, Advocate for the petitioner.

Mr.P.S.Walia, AAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.124 dated 09.05.2019 under Sections 452, 323, 506, 148 and 149 IPC, registered at Police Station Sadar Dhuri. District Sangrur. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 04.06.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“The learned counsel submits that the present case is infact a cross-version, wherein one of the accused in the present case, namely Gursewak Singh @ Mogli has also lodged FIR i.e. FIR No.125 dated 9.5.2019 registered at Police Station Sadar Dhuri, District Sangrur under Sections 341, 323, 506 and 34 of Indian Penal Code pertaining to the same occurrence and that in the FIR in hand i.e. in FIR No.124 dated 9.5.2019 registered at Police Station Sadar Dhuri, District Sangrur under Sections 452, 323, 506, 148 and 149 of Indian Penal Code, a distorted version is forthcoming. It has further been submitted that, in any case, none of the injury caused is stated to be a ‘grievous injury’.

Notice of motion for 10.9.2019.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C. .”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Rajwinder Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Rajwinder Singh further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 04.06.2019 is made absolute.

15.01.2020
Anjal

[MANOJ BAJAJ]
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/No