

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

205

**CRM-M-33990-2020(O&M)
Date of Order:04.11.2020**

Taljinder Singh

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ramandeep, Advocate,
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab

Mr.K.D.Sachdeva, Advocate
for the complainant.

ANIL KSHETARPAL, J(Oral)

Hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

On 23.10.2020, the following order was passed:-

“The petitioner prays for grant of pre-arrest bail in a criminal case arising from FIR No.150 dated 6.8.2020 registered under Section 302, 34 IPC at Police Station Sadar Patiala, District Patiala.

As per the case of the prosecution, milk yielding buffalo of the first informant fell ill. He called a Veterinary Doctor, Dr. Balkar Singh. The doctor tried to treat the buffalo but failed. Later on, when the said doctor came to see milk yielding animals of another resident of the village, deceased-Hakam Singh went to confront him alleging that he did not sincerely treat his buffalo. It is alleged that Dr. Balkar Singh gave a spade blow to deceased-Hakam Singh. It is further alleged that the petitioner, who was accompanying the doctor, gave him kick blows.

Learned counsel for the petitioner contends that the alleged fight was sudden and therefore, the petitioner cannot be said to have any common intention. He further contends that as per the case of the prosecution, it is Hakam Singh who came to the residence of another

covillager where the doctor had come to examine the milk yielding animals. He also contends that the petitioner has been falsely implicated.

Notice of motion.

On the request of the Court, Mr. Sandeep Vermani, Addl. AG, Punjab accepts notice on behalf of the State of Punjab and prays for time to seek instructions.

Adjourned to 30.10.2020.

Keeping in view the facts of the case, this Court is of the considered view that let the petitioner join investigation.

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

Learned counsel appearing for the State, on instructions from the Investigating Officer, has submitted that the petitioner has joined the investigation, cooperated and is not required for further custodial interrogation.

Keeping in view the aforesaid facts, the interim order dated 23.10.2020, passed by this Court, is made absolute.

Accordingly, the present petition is allowed.

November 04, 2020
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No