

CRM-M-37096-2020

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

CRM-M-37096-2020

Date of decision:21.12.2020

Rakesh Kumar

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. G.P.S. Pathania, Advocate for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

Mr. Munish Puri, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case bearing FIR No.127 dated 19.07.2020 registered under Sections 324, 34 IPC (later on Sections 323 and 326 IPC were added, vide GD No. 34 dated 20.09.2020), at Police Station Shahpurkandi, District Pathankot.

This Court, on 11.11.2020, passed the following order:

“Case is taken up for hearing through video conferencing.

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case bearing FIR No.127 dated 19.07.2020 registered under Sections 324, 34 IPC (later on Sections 323 and 326 IPC were added, vide GD No. 34 dated 20.09.2020), at Police Station Shahpurkandi, District Pathankot.

Learned counsel for the petitioner states that as per aforesaid GD No. 34 dated 20.09.2020, injuries on the person of complainant-Balwinder Singh, were considered and the Board of Doctors declared injury No.1 as grievous and injuries No.2 and 3 as simple and in view thereof, Sections 326 and 323 were added, whereas injury attributed to the petitioner is

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on the person of Geetanjali, wife of the complainant. Co-accused Chamel Singh has already been granted bail.

Notice of motion.

On the asking of this Court, Mr. M.S. Nagra, AAG Punjab, accepts notice on behalf of the respondent-State.

At this stage, Mr. Munish Puri, Advocate, appears for the complainant.

Adjourned to 21.12.2020.

Meanwhile, the petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.”

Learned counsel for the petitioner submits that pursuant to the order dated 11.11.2020 passed by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from SI Vijay Kumar, submits that the petitioner has joined the investigation and is now not required for any further investigation.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 11.11.2020 granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438 (2) Cr.P.C.

21.12.2020
ishwar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No