

CRM-M-44147-2019 (O&M)

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

**CRM-M-44147-2019 (O&M).
Decided on: February 26, 2020.**

Anil Kumar @ Bagha

.. Petitioner

VERSUS

State of Punjab and another

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.A.P.Kaushal, Advocate,
for the petitioner.**

Mr.Sarabjit Singh Cheema, AAG, Punjab.

**M.Kartik Gupta, Advocate,
for the complainant.**

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 438 of the Code of Criminal Procedure (for short 'the Cr.P.C.') praying for grant of anticipatory bail in cross-case registered vide G.d. No.29 dated 5.6.2019 under Sections 324 and 326/34 IPC, registered at Police Station, Model Town, Hoshiarpur, District Hoshiarpur, in FIR No.116 dated 16.04.2019, under Sections 307, 323, 506, 341, 148 and 149 IPC, registered at Police Station Model Town, Hoshiarpur.

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Learned counsel for the petitioner has, inter alia, argued that initially FIR No.116 dated 16.04.2019 under Sections 307,323,506,341,148,149 IPC at P.S Model Town, Hoshiarpur was got registered by the petitioner against the complainant whereas the present case i.e cross version was got registered after one and half months vide G.D No.29 dated 05.06.2019. He contends that the only injury attributed to the petitioner is on the non-vital part of the body i.e lower elbow.

On 17.10.2019, while issuing notice of motion, interim protection was granted to the petitioner subject to his joining investigation and compliance of provisions under Section 438 (2) Cr.P.C.

Today, the learned State counsel, on instructions from ASI Onkar Singh, submits that in pursuance of aforesaid order dated 17.10.2019, the petitioner has joined investigation and fully cooperated with the investigation process. He has further submitted that the petitioner is no longer required for custodial interrogation.

Learned counsel for the complainant is also in the knowledge that the petitioner has joined investigation.

In view of above stand taken by the learned State counsel, the present petition is allowed. Interim order dated 17.10.2019, is hereby made absolute.

February 26, 2020.
raj arora

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No