

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-305 of 2020

Date of Decision:24.8.2021

Baldev Singh

---Petitioner

versus

State of Punjab

---Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Monty Goyal, Advocate
for the petitioner
Mr. Saurav Khurana, DAG, Punjab
Mr. Kanwar Pahul Singh, Advocate
for the complainant

HARSIMRAN SINGH SETHI, J. (Oral)

The petitioner is seeking anticipatory bail in FIR No. 91 dated 1.10.2019 registered under Sections 307, 324, 326,506,148,149 IPC at Police Station Ramdas District Amritsar.

A Co-ordinate Bench of this Court had granted interim bail to the petitioner and directed him to join investigation and cooperate throughout.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by this Court dated 24.1.2020. Order dated 24.1.2020 is as under:-

“Prayer in the present petition is for grant of pre-arrest bail to petitioner in case F.I.R. No.91 dated 01.10.2019 under Sections 148, 307, 324, 326 and 506 IPC read with Section 149

IPC, registered at Police Station Ramdas, District Amritsar (Rural).

Learned State counsel has filed status report by way of affidavit of Sohan Singh, Deputy Superintendent of Police, Sub-Division Ajnala, District Amritsar (Rural), which is taken on record and a copy thereof has been supplied to learned counsel for the petitioner.

Memo of appearance has been filed on behalf of Swaran Singh (complainant), which is taken on record.

Learned counsel for the petitioner, while going through the contents of FIR coupled with medico legal reports of injured, namely, Jatinder Singh, Balwinder Singh and Swaran Singh, submits that two injuries and that too by sharp edged weapon on the person of injured Swaran Singh have been attributed to petitioner (Baldev Singh) and those injuries have been declared simple in nature. He further submits that grievous injuries and that too by sharp edged weapon on the persons of injured, namely, Jatinder Singh and Balwinder Singh have been attributed to co-accused. He further submits that though petitioner (Baldev Singh) has also sustained grievous injuries at the hands of complainant party but no cross version case has been registered against them and it is yet to be decided during the course of trial who was the aggressor one. He further urges that petitioner is ready to join investigation as and when required by the Investigating Agency.

Adjourned to 30.03.2020.

Meanwhile, in the eventuality of arrest of petitioner in the instant case, he shall be enlarged on interim bail subject to his furnishing personal bond/surety bond to the satisfaction of Investigating Officer/ Arresting Officer. Petitioner shall join investigation as and when called upon to do so by the Investigating Agency. Petitioner shall abide by the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.”

Learned State counsel, who joined the proceedings through video conference, on instructions from ASI Jasbir Singh, states that in terms of the order of this Court reproduced before, the petitioner has joined investigation and is no longer required at this stage and as per his instructions, the parties have compromised the matter.

Learned counsel for the petitioner undertakes that petitioner will join investigation and also cooperate with the investigating agency in case he is required for the same in future as well.

In view of the above, the order dated 24.1.2020 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that petitioner is required for the investigation but is not cooperating, he will be at liberty to approach this Court for passing

appropriate orders.

The petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

24.8.2021

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No