

|CRM-M-1983-2020

Date of Decision : 09.08.2021

Daljit Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Gagandeep Singh Bajwa, Advocate for the petitioner.

Mr. J.P.Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN (Oral)

The petitioner has preferred the instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.141 dated 01.12.2019, registered under Sections 323, 326, 148, 149 IPC, at Police Station Tarsika, District Amritsar (Rural).

The operative part of the order dated 17.01.2020, vide which the petitioner has been granted interim bail, is reproduced below:

“Prayer in the present petition is for grant of pre-arrest bail to petitioner in case F.I.R. No.141 dated 01.12.2019 under Sections 148, 323, 326 IPC read with Section 149 IPC, registered at Police Station Tarsika, District Amritsar (Rural).

Learned counsel for the petitioner inter alia contends that the injury on the leg of Mukhtiar Singh and that too by sharp edged weapon has been attributed to co-accused Satnam Singh, whereas injury on the posterior aspect of right parietal region above right ear on the person of injured Mukhtiar Singh has been attributed to petitioner (Daljit Singh) and in terms of order dated 21.12.2019 (Annexure P-2) passed by learned Additional Sessions Judge, Amritsar, injury attributed to petitioner (Daljit Singh) has been declared simple in nature. He further submits that complainant party had attacked upon Nirmal Singh, father of petitioner and inflicted injuries on his person 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 Investigating Agency.

Notice of motion.

At the asking of Court, Mr. Harbir Sandhu, Assistant Advocate General, Punjab, accepts notice on behalf of respondent-State. Complete copy of paper book be supplied to him during the course of the day.

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.

Adjourned to 25.03.2020.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 17.01.2020, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from Sub Inspector Manjeet Singh, has not disputed the factual position and submits that the petitioner has joined the investigation.

In view of the above, the present petition is allowed and the interim bail granted to the petitioner, vide order dated 17.01.2020, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

09.08.2021

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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No