

224 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9228-2020
Date of Decision : 14.07.2021

Narinder Singh @ Ram Singh and another **....Petitioners**

Versus

State of Punjab **....Respondent**

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Avtar S. Khinda, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (*Oral*)

The petition prays for grant of anticipatory bail in FIR No. 216 dated 29.08.2018, registered under Sections 323, 324, 341, 365 and 34 of the IPC, 1860 (Section 326 added later on) at Police Station City Kapurthala, District Kapurthala, Punjab.

The operative part of the order dated 02.03.2020, vide which the petitioner has been granted interim bail, is reproduced below:

“The petitioners have filed this petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No. 216 dated 29.08.2018 registered under Sections 323, 324, 341 and 365 read with Section 34 of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station City Kapurthala, District Kapurthala to which Section 326 of the IPC was added subsequently.

Learned Counsel for the petitioners has submitted that the petitioners have been falsely implicated in the case. Cross version under Sections 148, 326, 323, 324, 341 and 452 read with Section 149 of the IPC has been registered against the complainant and other persons at the instance of co-accused Balraj Singh @ Sonu. The injury caused with sharp edged weapon to Simranjit Singh declared to be grievous is attributed to the co-accused Balraj Singh and the injuries attributed to the petitioners who were armed with datar and iron rod respectively were declared to be simple. The petitioners are ready to join the investigation and their custodial interrogation is not required in the case.

Notice of motion.

On the asking of the Court, Mr. Sandeep Singh Deol, D.A.G. Punjab accepts notice on behalf of the respondent-State. Copy of the paper book has been supplied to the Learned State Counsel, who seeks time to complete his instructions.

Adjourned to 14.05.2020.

In the meanwhile, the petitioners are directed to join the investigation as and when called upon to do so. In the event of their arrest, the petitioners shall be released on interim bail by the arresting officer/investigating officer on their furnishing of bail bonds to the satisfaction of the arresting officer/investigating officer. The petitioners shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C.

failing which they shall forfeit the benefit of interim bail allowed to them.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 02.03.2020, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned State counsel, on instructions from SI Harjinder Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 02.03.2020, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

14.07.2021

Chetan Thakur

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No