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

**CRM-M-4528-2020
Date of decision-28.07.2021**

GURWINDER SINGH @ NIKKA**...Petitioner**

Vs.

STATE OF PUNJAB**...Respondent****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Vikasdeep Singh, Advocate
for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr. DAG, Punjab.

Mr. Kuldeep V Singh, Advocate
for the complainant.

MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.239 dated 25.10.2019 under Sections 323, 506, 120-B, 34 & 307 (added later on) of Indian Penal Code, 1860, registered at Police Station Shahkot, District Jalandhar Rural. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 03.02.2020, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends

that the petitioner is brother of the sister-in-law of the complainant, who has falsely implicated him because of her dispute with the others in the family. It is pointed out that the occurrence took place on 23.10.2019 and injury No.4 in the MLR conducted on the same day, reflects burning sensation over the feet. He submits that the offence punishable under Section 307 IPC was added subsequently on 02.11.2019 on the basis of second MLR conducted on 30.10.2019.

Notice of motion for 19.05.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Daljit Singh does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 03.02.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

28.07.2021

Vipin kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No