

CRM-M-7643-2021

Date of Decision : 26.10.2021

Arun Batta

...Petitioner

Versus

State of Punjab

....Respondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. P.S. Sekhon, Advocate for the petitioner.

Mr. C.L. Pawar, Sr. DAG, Punjab.

Mr. Ajit Sihag, Advocate for the complainant.

B.S. Walia, J. (Oral)

1. Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.17 dated 23.01.2021, registered under Sections 324, 323, 34 of IPC, to which Section 326 IPC was added later on, at Police Station City South Moga, District Moga.

2. On 18.02.2021, the following order was passed:-

“Learned counsel for the petitioner prays for grant of anticipatory bail to the petitioner while *inter-alia* arguing that the petitioner has been falsely implicated in the present case and a reading of the FIR would reflect that it is Vishu Sehgal who gave a daah blow on the head of the complainant Navneet Kumar and he is ready and willing to join the investigation.

Notice of motion.

Ms. Rashmi Attri, AAG, Punjab appearing through the medium of video conferencing accepts notice on behalf of the respondent State and seeks time to file reply.

Adjourned to 10.08.2021.

Meanwhile, petitioner is directed to join the investigation

within a period of one week and on doing so, the petitioner be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions incorporated under Section 438(2) Cr.P.C.”

3. Today, learned counsel for the petitioner contends while learned State counsel on instructions from ASI Gurcharan Singh, confirms that pursuant to the order of this Court dated 18.02.2021, the petitioner joined investigation, fully cooperated with the police, was released on ad interim pre arrest bail and that his custodial interrogation is not required.

4. In view of the statement of learned State counsel, order dated 18.02.2021, passed by this Court, is made absolute. The petitioner shall abide with the conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be construed to be an expression of opinion on the merits of the case.

5. Petition stands *disposed of* in the aforementioned terms.

(B.S. Walia)
Judge

26.10.2021
rajesh

Whether speaking/ reasoned :	Yes/No
Whether reportable :	Yes/No