

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

Sr. No.208-5

CRM-M-9644-2021

Date of decision: 02.12.2021

Mamik Atwal

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

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

Ms. Gunkirat Kaur, AAG, Punjab.

Mr. B.S. Sidhu, Senior Advocate with
Mr. Divij Datt, Advocate
for the complainant.

* * *

DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.196, dated 13.11.2020, registered under Sections 307, 323, 324, 148, 149 IPC at Police Station Cantt. Jalandhar, District Jalandhar.

Briefly stated, the case of the prosecution is that the petitioner, alongwith his co-accused, attacked and caused injuries on the complainant's husband – Vikram and as a result of such attack Vikram suffered five injuries out of which one has been declared to be dangerous to life.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case; under the interim orders passed by this Court, the petitioner has already joined the investigation; investigation in this case is complete; the petitioner has not been attributed any specific role or injury; the CCTV footage being relied upon by the prosecution has

no evidentiary value as the same has not been sent for forensic examination and that the petitioner is not involved in any other criminal case.

Learned State counsel submits that under the interim orders passed by this Court, the petitioner has not only joined the investigation he has fully cooperated with the investigating agency and that his custodial interrogation is not required by the State.

Keeping in view the totality of the above noticed facts, especially the statement made by the learned State counsel that the petitioner has joined the investigation and his custodial interrogation is not required, the order of this Court dated 05.03.2021, granting ad-interim anticipatory bail to the petitioner is made absolute.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

December 02, 2021
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No