

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

(201)

CRM-M-7393-2020.
Date of Decision:-25.10.2021.

Ranjodh Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Harpreet Singh Jakhal, Advocate for the petitioner.

Mr. N.K. Banka, DAG, Punjab.

VIKAS BAHL, J. (Oral)

This is a petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in Cross Case of Rapat No.44 dated 02.08.2019 under Sections 341/323/34 of IPC and Sections 326/506 of IPC (added later on vide rapat No.039 dated 05.10.2019), registered at Police Station Sadar Jalalabad, District Fazilka.

On 20.02.2020, a Co-ordinate Bench of this Court was pleased to pass the following order:-

“The petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C.') for grant of anticipatory bail in cross case Rapat No.44 dated 02.08.2019 registered under Sections 341 and 323 read with Section 34 of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station Sadar Jalalabad District Fazilka to

which Sections 326 and 506 of the IPC have been added later on vide rapat No. 039 dated 05.10.2019.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the case which is a counter blast to FIR No. 0093 dated 30.07.2019 registered under Sections 341 and 323 read with Section 34 of the IPC at Police Station Sadar Jalalabad. The complainant procured second medico legal report. The alleged injury caused by sharp edged weapon attracting section 326 of the IPC is on little finger of right hand of the injured-Kulwant Singh and there is possibility of the same being self inflicted. The petitioner is ready to join the investigation and his custodial interrogation is not required.

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 01.05.2020.

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

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*failing which he shall not be entitled to the protection of interim
bail allowed to him.”*

Learned State counsel, on instructions from ASI Tilak Raj, has submitted that the petitioner has joined the investigation on 07.03.2020 and is not required for further investigation.

Keeping in view the above facts and circumstances, moreso, the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and interim order dated 20.02.2020 is made absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

(VIKAS BAHL)
JUDGE

October 25, 2021.

sandeep

Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No