

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-12530-2021 (O&M)

Date of Decision:- 30.7.2021

Parminder Singh alias Daibu

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Parminder Singh, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Gian Singh.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.21, dated 7.2.2021, Police Station Nathana, District Bathinda, under Sections 307, 353, 186, 332, 323 IPC.
2. At the time of issuance of notice of motion on 18.3.2021 the following order was passed:

“Learned counsel for the petitioner contends that he
has falsely been implicated in the instant case and that

in any case even if the allegations as levelled in the FIR are taken to be correct, no offence under Section 307 IPC can be said to be made out, as it is a case of single injury, which has been opined to be simple in nature. It has further been submitted that in fact it is a case where the petitioner as well as the complainant, who is a police official and was in civil dress at the time of occurrence, were beaten up by a group of farmers and that the petitioner himself sustained as many as 4 injuries including an injury on his head, as would be evident from the MLR (Annexure P-3). Learned counsel has further submitted that it would even be debatable as to whether any offence under Section 353 or 186 IPC can be said to be made out, as the complainant admittedly was in plain clothes and the petitioner, under these circumstances, could not be said to have any knowledge that he was a police official performing his duties.

Notice of motion for 30.07.2021.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3. Learned State counsel, upon instructions from ASI Gian Singh, has informed that pursuant to interim directions, the petitioner has joined investigation and that he is not required for any custodial interrogation and that he is not even involved in other cases.

4. Having regard to the facts and circumstances of the case and the fact that the petitioner has already joined investigation and is not wanted in any other case, his custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 18.3.2021 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

30.7.2021

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No