

205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-13760-2021

Date of Decision : 25.10.2021

DEEPU ...Petitioner

Versus

STATE OF PUNJABRespondent

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

Present : Mr. H.S.Oberoi, Advocate for the petitioner.
Mr. Amit Mehta, Sr. DAG, Punjab.

B.S. Walia, J. (VC)

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.291 dated 03.11.2020, registered under Sections 324, 34 IPC and 326 IPC added later on at Police Station City Malout, District Sri Muktsar Sahib.

2. On 25.03.2021, the following order was passed:-

“Counsel for the petitioner submits that apart from the fact that the injury under Section 326 IPC has been added at a later stage, there is no specific injury attributed to the petitioner. Moreover, there is no allegation in the FIR against the petitioner despite the fact that the petitioner and the injured Vikas are residing in the same vicinity. Notice of motion for 24.05.2021. Meanwhile, in the event of arrest of the petitioner, he shall be released on ad-interim bail to the satisfaction of the arresting officer. However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.”.

3. Today, learned counsel for the petitioner contends while learned State counsel on instructions from ASI Jagdish Kumar confirms that pursuant to the order of this Court dated 25.03.2021, 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 25.03.2021, passed by this Court, is made absolute. The petitioner shall abide with the conditions contained 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

25.10.2021
'ps-renu'

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