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

**CRM-M-17138-2021
Date of decision-03.12.2021**

FATEH SINGH**...Petitioner****Vs.****STATE OF PUNJAB & OTHERS****...Respondents****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Ajay Pal Singh, Advocate
for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr. DAG, Punjab.

MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.55 dated 29.06.2019, under Sections 323, 324, 452, 148 & 149 Indian Penal Code, 1860 (Section 326 IPC added later on) registered at Police Station Kotli Surat Mallian, Police District Batala, District Gurdaspur. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 23.04.2021, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Instant petition has been filed under Section 438 Cr.PC for grant of anticipatory bail to the petitioner in case FIR No.55 dated 29.06.2019 registered under Sections 323, 324, 452, 148 and 149 IPC (Section 326 IPC added later on) at Police

Station Kotli Surat Mallian Police District Batala District Gurdaspur.

Learned counsel for the petitioner inter alia contends that the petitioner and the complainant are co-villagers and it was on account of trivial dispute, the occurrence in question took place wherein allegedly petitioner inflicted an injury on the elbow of the complainant, which was opined to be grievous in nature. He further submits that thereafter the parties had ironed out their differences and matter stood amicably resolved between the parties.

Notice of motion for 14.07.2020.

Meanwhile, the petitioner is directed to join the investigation and appear before the investigating agency as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.PC.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by ASI Gurmej Singh does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 23.04.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

03.12.2021

<i>vanita</i>	Whether speaking/reasoned :	Yes	No
	Whether Reportable :	Yes	No