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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.17798 of 2021
Date of Decision:23.07.2021

JAGJIT SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Ravi Malhotra, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl. A.G, Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.28 dated 02.04.2021 registered under Sections 323, 332, 353 and 186 IPC at Police Station Patara, District Jalandhar.

On 28.04.2021, following order was passed:-

"The case has been taken up for hearing through video-conferencing.

Learned counsel for the petitioner contends that the allegations are of tearing uniform of the petitioner who is a Police Officer and has also given the injuries to him when he was going back to his house to collect his medicine.

Learned counsel for the petitioner submitted that

occurrence has not taken place in the manner as suggested by the prosecution rather petitioner was given beatings by complainant.

As per MLR of the petitioner 4 injuries were found on his person with blunt weapon. The occurrence has been captured in the CCTV cameras, which shows that the complainant along with his two sons inflicted injuries to the petitioner.

Learned counsel for the petitioner also submits that offences under Sections 353, 332 IPC are necessarily to be treated alike along with non-cognizable offence under Section 186 IPC. Offence under Section 353 IPC is an aggravated form of offence under Section 186 IPC which is non-cognizable in nature.

*Learned counsel refers to **Ram Kumar Vs. State of Haryana, 1998(1) PLR 633 and Nirbhai Singh Vs. State of Punjab and another, 2009 (4) RCR (Criminal)614.***

Notice of motion for 23.07.2021.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 02.05.2021 at 11:00 AM and in the event of his arrest, he shall be enlarged on interim bail, on his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

It is made clear that grant of interim order shall not be taken to be an expression on merits of the case in any manner. The case shall be considered on merits on the adjourned date.”

Learned counsel for the petitioner submitted that in compliance of order dated 28.04.2021, petitioner has joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from ASI

Chaman Lal admitted the aforesaid fact and submitted that the petitioner is no more required for further investigation of the case.

In view of aforesaid factual position, the interim order dated 28.04.2021 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

23.07.2021

Amandeep

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No