

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

**CRM-M-17811-2021
Decided on: 04.08.2021**

Sourav

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

(The case has been taken up through Video Conferencing.)

Present: Mr. Lakhwinder S. Lakhanpal, Advocate
for the petitioner.

Mr. J.S. Ghumman, DAG, Punjab.

H.S. MADAAN, J (ORAL)

This petition for pre-arrest bail has been filed by the petitioner-accused Sourav in case Diary No.36 dated 19.07.2019 (cross case in FIR No.118 dated 01.06.2019 under Sections 323, 325, 326, 341, 148 and 149 of the IPC, registered at Police Station Tanda, District Hoshiarpur.

Briefly stated facts of the case as per prosecution version are that the complainant was assaulted by petitioner and his co-accused, causing multiple injuries, one of the injuries being grievous in nature.

Learned counsel for the petitioner has contended that the petitioner has since joined the investigation, no injury is attributed to him and no recovery is to be effected from the present petitioner, as such, interim bail granted to the petitioner on 28.04.2021 be made absolute.

Learned State counsel, on instructions from ASI Manvinder Singh, has concedes the factum of the petitioner having joined the investigation, further adding that no recovery is to be effected from him, therefore, his custodial interrogation is not required.

Learned State counsel has further informed that no injury is attributed to the petitioner and he has been booked being part of conspiracy to attack the complainant.

Under the circumstances, the interim bail granted to the petitioner vide order dated 28.04.2021 is made absolute, subject to the following conditions:-

- 1. that the petitioner shall make himself available for investigation by a police officer as and when required;
- 2. that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;
- 3. that he shall not leave India without prior permission of the Court.
- 4. that he shall surrender his passport before the Investigating Officer and if he is not having passport, then, shall file the affidavit in that regard.

In case, the petitioner violates any term and condition, on which the bail has been granted to him, the prosecution would be entitled to apply for cancellation of bail.

The petition stands allowed accordingly.

(H.S. MADAAN)
JUDGE

04.08.2021
Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No