

208(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19459--2021
Date of decision-25.10.2021

GURMEET SINGH

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Chanchal K. Singla, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Mr. T.P.S. Tung, Advocate
for the complainant.

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 cross version registered vide G.D. No. 43 dated 23.01.2021 Under Sections, 323, 324, 148 and 149 Indian Penal Code, 1860 in which Sections 325, 326 Indian Penal Code, 1860 were added later on vide G.D. No. 13 dated 05.02.2021, registered at Police Station Samrala, District Ludhiana in FIR No. 20 dated 23.01.2021 under Sections 323, 324, 341, 148 and 149 Indian Penal Code registered at Police Station Samrala District Ludhiana. 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 20.05.2021, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel contends that FIR No.20 dated 23.01.2021 under Sections 323, 324, 341, 148 and 149 IPC was lodged at the instance of the petitioner against accused Baljinder Singh and others. He submits that subsequently, on the basis of a cross version set up by Baljinder Singh through DDR No.43 dated 23.01.2021, the petitioner has been indicted as an accused. According to him, in the initial version, there is no attribution to the petitioner, but later on by way of supplementary statement, the petitioner is stated to have caused injury to Baljinder Singh.

Notice of motion for 25.10.2021.

At this stage, Mr. A.P.S. Tung, Advocate appears on behalf of the complainant.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

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 Sukhwinder 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 20.05.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

25.10.2021

<i>Vipin kumar</i>	Whether speaking/reasoned :	Yes	No
	Whether Reportable :	Yes	No