

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(209)

CRM-M-20232-2021

Date of decision:- 26.08.2021

ARASHDEEP SINGH @ ARASHBIR SINGH ...PETITIONER
VERSUS
STATE OF PUNJAB ...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Karan Choudhary, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

...

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking grant of anticipatory bail in case FIR No. 101 dated 31.08.2020 under Sections 452, 326, 324, 323, 427, 506, 148 and 149 of the Indian Penal Code, 1860 registered at Police Station Fatehgarh Churian Police, District Batala, District Gurdaspur.

On 20.05.2021, the following order was passed:-

“This matter is being taken up for hearing through video conferencing *due to outbreak of the pandemic, COVID-19.*

It is, inter alia, submitted that the petitioner is sought to be falsely implicated in FIR No. 101 dated 31.08.2020 under Sections 452, 326, 324, 323, 427, 506, 148, 149 IPC registered at Police Station Fatehgarh Churian, District Batala, District Gurdaspur. Learned counsel submits that present is a case of version and

cross version in regard to the occurrence which took place on 16.08.2020. FIR No. 75 dated 18.08.2021 is stated to have been registered against the complainant side at the instance of the petitioner's co-accused Kuldeep Kaur. Present FIR was registered on 31.08.2020 after an unexplained delay. Furthermore, alleged injury attributed to the petitioner is stated to have been caused on a non vital part.

Notice of motion.

Ms. Samina Dhir, DAG, Punjab accepts notice on behalf of the respondent – State.

List on 26.08.2021.

In the meanwhile, petitioner shall join investigation. He shall fully cooperate in the investigation of this case and further join investigation as and when directed by the Investigating Officer. In the event of his arrest, petitioner shall be released on interim bail to the satisfaction of Investigating Officer. Petitioner shall comply with the conditions stipulated in Section 438(2) Cr.P.C.”

Learned State counsel, upon instructions, from ASI Lakhwinder Singh submits that the petitioner has joined the investigation and is no longer required for custodial interrogation. He has further instructions to state that the petitioner is not involved in any other criminal case.

In view of the above fact, but without commenting on the merits of the case, the present petition is allowed. Order dated 20.05.2021 is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

26.08.2021
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No