

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-21955 of 2021 (O&M)
Date of Decision:04.08.2021

Dalwara Singh @ Dara

....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE B.S.WALIA

Present: Mr. Mandeep Kumar Dhot, Advocate
for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

B.S.WALIA, J.(VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.
2. Prayer in this petition under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No. 31 dated 17.2.2021 registered under Sections 308, 341, 323, 506, 148, 149 IPC, and Section 325 IPC (added later on) at Police Station, City I Sangrur, District Sangrur.
3. On 2.6.2021, the following order was passed:-

“Heard through video conferencing.

This is a petition under section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.31 dated 17.02.2021 under Sections 308, 341, 323, 506, 148, 149 of the Indian Penal Code, 1860 and Section 325 IPC (added later on) registered at Police Station City I, Sangrur, District Sangrur.

Learned counsel for the petitioner would contend

that the injury attributed to the petitioner is an iron rod blow to the injured which has since been declared to be simple in nature.

Notice of motion.

On the asking of the Court, Mr. Hittan Nehra, Addl. AG Punjab has joined the session through video conferencing and accepts notice on behalf of the sole respondent-State of Punjab.

Learned State counsel, on instructions from ASI Jasbir Singh, has stated that the injury attributed to the petitioner i.e. a blow with an iron rod on the shoulder of the injured has been declared to be simple and blunt in nature.

List on 04.08.2021.

Meanwhile, the petitioner is directed to join investigation before the Investigating Officer and would come present as and when called for. In the event of arrest, the petitioner shall be admitted to bail on furnishing adequate surety and personal bonds to the satisfaction of the Arresting Officer. The petitioner shall abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.”

4. Today, learned counsel for the petitioner contends while learned State Counsel on instructions from ASI Jasbir Singh, confirms that pursuant to the order of this Court dated 2.6.2021, the petitioner joined investigation, cooperated in the same, was released on ad-interim pre-arrest bail and his custodial interrogation is not required.
5. In view of the statement of the learned State Counsel, order dated 2.6.2021, passed by this Court, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438 (2) Cr.P.C.

6. Petition stands disposed of in the aforementioned terms.

(B.S.WALIA)
JUDGE

04.08.2021
PARAMJIT

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No