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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-22785-2021

Date of Decision: 01.11.2021

Sukhwinder Singh @ Sukha @ Sukhwinder Kumar

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Bhuwan Vats, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.67 dated 04.05.2021 under Sections 323, 325, 148 and 506 IPC, 1860 (Section 308 IPC added later on), registered at Police Station Division No.7, District Jalandhar Commissionerate. 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 10.06.2021, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel contends that the alleged occurrence took place on 01.05.2021 and the FIR was registered after four days on 04.05.2021 for the offences punishable under Sections 323, 325, 506 and 148 IPC and subsequently, the offence under Section 308 IPC was added. He submits that a cross-case has already been registered through DDR No.19 dated 05.05.2021 regarding the injuries suffered by Sahil (co-accused of the

petitioner).

Notice of motion for 01.11.2021.

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.

At this stage, Mr. Karanjeet Singh Brar Advocate appears for the complainant.”

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 SI Surjit Singh does not dispute this fact that the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 10.06.2021 is made absolute.

01.11.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes No
Yes No