

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(208)

CRM-M-23225-2021
Date of decision: 22.09.2021

Sukhwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. P.B.S.Goraya, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, AAG, 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 DDR No.20 dated 16.06.2020 under Sections 323, 324, 326, 148 and 149 of the Indian Penal Code, 1860, registered as a cross case in FIR No.49 dated 08.06.2020 under Section 452, 336, 148, 149, 341, 324, 323, 188 and 269, IPC and Section 25, 27 of Arms Act, 1959, at Police Station Mattewal, District Amritsar Rural.

While granting interim protection to the petitioner, this Court passed the following order on 16.06.2021:-

“Learned counsel for the petitioner inter alia contends that it is a case of version and cross-version and a perusal of the DDR recorded in the cross-case reveals that the petitioner has been attributed a kirpan blow on the non-vital part i.e. knee of the person of the complainant attracting the mischief of Section 326 IPC.

He further submits that version of the complainant is not even supported by any medical evidence. In support of his contention, he has filed the MLR of the complainant through email in Court today, which is taken on record subject to all just exceptions.

Notice of motion for 22.09.2021.

Meanwhile, the petitioner is directed to join the investigation and appear before the investigating agency as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.PC. ”

Learned State counsel, upon instructions, from ASI, Harjinder Singh submits that the petitioner has joined the investigation and he 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 facts, but without commenting on the merits of the case, the present petition is allowed. Order dated 16.06.2021 is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

22.09.2021
Kamal

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