

CRM-M-25858 of 2021

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209-5

CRM-M-25858 of 2021
Date of decision:16.08.2021

Gurpreet Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Ms. Jasleen Kaur, Advocate
for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

Mr. Sushant Kareer, Advocate for
Mr. Shaurya Puri, Advocate
for the complainant.

SUVIR SEHGAL, J. (Oral)

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

On 08.07.2021, following order was passed:-

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No. 0010, dated 15.01.2021 under Sections 323, 148, 149 and 506 of the Indian Penal Code, 1860 (Offences under Sections 307, 325 and 459 of the Indian Penal Code, 1860 were added later on), registered at Police Station Fattudhinga, Kapurthala (Annexure P-1).

Counsel for the petitioner contends that injuries inflicted on the complainant attracting Section 307 IPC have been attributed to co-accused Santokh Singh and Gurdas Singh, whereas the injury attributed to the petitioner has been declared to be grievous attracting Section 325 IPC. Counsel has placed reliance upon interim orders passed by this Court, whereby some of the co-accused have been granted interim protection.

Notice of motion.

On asking of the Court, Mr. Sandeep Singh Deol, DAG, Punjab accepts notice on behalf of respondent-State. State counsel, upon instructions, from ASI Ishwar Prasad, is not in a position to dispute the factual position as argued by counsel for the petitioner.

List on 16.08.2021.

To be heard with CRM-M-18103-2021.

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

Interim protection granted to co-accused, Satnam Singh in CRM-M-18103 of 2021 has been made absolute by an order passed on even

date.

Learned State counsel, on instructions from ASI Dalwinderbir Singh submits that the petitioner has joined 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 facts, but without commenting on the merits of the case, the present petition is allowed and the order dated 08.07.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

August 16, 2021
savita

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