

202

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No. 23748 of 2020
Date of Decision: 18.01.2021

Swaran Singh @ Kalu

-Petitioner

Versus

State of Punjab

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Ashish Aggarwal, Advocate,
for the petitioner.

Mr. Amar Ashok Pathak, Addl. A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.102 dated 04.10.2019 registered under Sections 324, 323, 506, 148, 149 IPC (Section 326 IPC added later on) at Police Station Bhikhiwind, District Tarn Taran.

On 21.08.2020, following order was passed:-

*"Instant Petition has been filed under
Section 438 Cr.PC for grant of anticipatory bail
to the petitioner in case FIR No.102 dated*

04.10.2019 registered under Sections 324, 323, 506, 148, 149 IPC 1860 (Section 326 IPC 1860 added later on) at Police Station Bhikhiwind, District Tarn Taran.

Learned counsel for the petitioner inter alia contends that the false implication of the petitioner in the FIR in question is clearly discernible as there was a delay of 18 days in lodging the FIR. He further contends that the alleged occurrence was stated to have taken place in the early hours of 17.09.2019, however, the injured witness Kuldeep Singh to whom an injury was allegedly inflicted by the petitioner with a datar on his right arm, was medically examined only late in the evening of 17.09.2019 at about 8.00 p.m., which further lends credence to his false implication. He further contends that the injury, which is attributed to the petitioner is on the non-vital part of Kuldeep Singh.

Notice of motion for 18.01.2021.

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.

21.08.2020

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**(MANJARI NEHRU KAUL)
JUDGE"**

Learned State counsel on instructions from ASI Amrik Singh submits that in compliance of order dated 21.08.2020, the petitioner has joined the investigation to the entire satisfaction of the Investigating Officer and he is no more required in further investigation of the case.

In view of above, order dated 21.08.2020 is hereby made absolute.

However, the petitioner shall keep on joining the investigation as and when required to do so by the Investigating Officer.

January 18, 2021

Jyoti Sharma

**(RAJ MOHAN SINGH)
JUDGE**

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No