

210 (2nd) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33433-2021

Date of Decision : 22.09.2021

Gurmej Singh

...Petitioner

versus

State of Punjab

....Respondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Mohinder Kumar, Advocate for the petitioner.
Mr. Sandeep Singh Deol, DAG, 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 the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.0060 dated 22.05.2019, registered under Sections 323, 324, 148 and 149 IPC to which Sections 326 and 307 IPC were added later on at Police Station Sultanwind, Police Commissionerate, Amritsar, District Amritsar, Punjab.
3. On 02.09.2021, the following order was passed:-

“Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

Prayer in the petition under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.0060 dated 22.05.2019 registered under Sections 323, 324, 148 & 149 to which Sections 326 & 307 IPC were added later on at Police Station Sultanwind Police Commissionerate, Amritsar, District Amritsar, Punjab.

Learned counsel contends that the injuries attributed to the petitioner on the complainant-Gurpreet Singh are by a wooden

shaft, whereas injuries with sharp edged weapons are attributed to co-accused, that it is a case of version and cross-version, besides the petitioner is not involved in any other case and is ready and willing to join investigation and fully co-operate in the same.

Notice of motion.

Mr. Sukhbeer Singh, learned AAG, Punjab, accepts notice on behalf of the State and requests for time to file reply.

Adjourned to 22.09.2021.

To be listed for hearing along with CRM-M No.31441 of 2021.

In the meantime, the petitioner is directed to join investigation and fully cooperate with the police. However, in the event of arrest, the petitioner be released on ad-interim pre-arrest bail, subject to his furnishing bail / surety bonds to the satisfaction of the Arresting /Investigating Officer. The petitioner shall abide by the conditions envisaged under Section 438(2) Cr.P.C., failing which, the interim protection granted to the petitioner, shall stand vacated.”

4. Today, learned counsel for the petitioner contends while learned State counsel on instructions from *SI Tarlok Singh* confirms that pursuant to the order of this Court dated 02.09.2021, the petitioner joined investigation, fully cooperated with the police, was released on ad interim pre arrest bail and that his custodial interrogation is not required.

5. In view of the statement of learned State counsel, order dated 02.09.2021, passed by this Court, is made absolute. The petitioner shall abide with the conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be construed to be an expression of opinion

on the merits of the case.

6. Petition stands *disposed of* in the aforementioned terms.

22.09.2021

'Amit'

(B.S. Walia)

Judge

Whether speaking/ reasoned

Whether reportable

:

:

Yes/No

Yes/No