

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M No.33635 of 2021  
Date of Decision: 16.11.2021

Harjeet Singh

... Petitioner

Versus

The State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: None for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr. DAG, Punjab.

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**MANOJ BAJAJ, J. (Oral)**

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.122 dated 09.11.2020, under Sections 326, 324, 323, 427, 148 and 149 IPC, 1860, registered at Police Station Ballianwali, District Bathinda. The petitioner apprehended his arrest at the hands of police.

The order dated 02.09.2021 whereby the interim protection was extended to the petitioner, reads as under:-

*“Case is taken up for hearing through video conferencing. Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case bearing FIR No. 122 dated 09.11.2020, registered under Sections 326, 324, 323, 427, 148 and 149 IPC, at Police Station Ballianwali, District Bathinda.*

*Learned counsel for the petitioner states that initially, the offences contained in the FIR were bailable, but later on, after a lapse of 21 days, Section 326 IPC was incorporated to make the offence serious. The injury attributed to the petitioner is simple in nature. Moreover, being a version and cross version case, it is yet to be ascertained by the trial Court on the basis of evidence as to which was the aggressor party. DDR No. 12 dated*

*10.11.2020 stands registered against the complainant party.*

*Notice of motion for 16.11.2021.*

*Meanwhile, the petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.*

*However, anticipatory bail, granted while exercising the judicial discretion, should not operate as an inroad into the statutory investigational power of the police.”*

Learned State counsel, who is assisted by ASI Kewal Singh, states that the petitioner has joined the investigation. Learned counsel, on instructions, further states that the petitioner is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 02.09.2021 is made absolute.

**(MANOJ BAJAJ)**  
**JUDGE**

**16.11.2021**  
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Whether speaking/reasoned                      Yes/No

Whether reportable                                Yes/No