

CRM-M-33681-2021

Date of Decision: 04.10.2021

Vikasdeep @ Vishnu

...Petitioner

Versus

State of Punjab

....Respondent

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

Present : Mr. Naveen Bawa, Advocate for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

B.S. Walia, J. (Oral)

1. Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.60 dated 22.05.2019, registered under Sections 323, 324, 148 and 149 IPC to which Sections 307 and 326 IPC were added later on at Police Station Sultanwind, District Amritsar.

2. On 23.09.2021, the following order was passed:-

“CRM-27524-2021

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

Prayer in the application is for placing on record copy of challan as Annexure P-6.

Notice of the application.

Mr. Sukhbeer Singh, AAG, Punjab, accepts notice and states that he has no objection to the prayer made in the application.

Accordingly, in view of the position noted above, the application is allowed. Copy of challan is taken on record as Annexure P6.

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Prayer in the petition under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No. 60 dated 22.05.2019 registered under Sections 323, 324, 148, 149 IPC, to which Sections 307 and 326 IPC were added later on at Police Station Sultanwind, District Amritsar.

Learned counsel contends that although as per FIR, injuries were attributed to the petitioner, but challan filed does not mention any injury as having been inflicted by the petitioner.

Notice of motion.

Mr. Sukhbeer Singh, AAG, Punjab, accepts notice and states that perusal of the challan besides as per instructions from SI Trilok Singh, submissions of learned counsel for the petitioner are correct.

In the circumstances, the petitioner is directed to join investigation and fully cooperate in the same. 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 also abide by the conditions envisaged under Section 438(2) Cr.P.C., failing which, the interim protection granted to the petitioner, shall stand vacated.

List on 04.10.2021.”

3. Today, learned counsel for the petitioner contends while learned State counsel on instructions from *SI Tirlok Singh* confirms that

pursuant to the order of this Court dated 23.09.2021, the petitioner joined

investigation, fully cooperated with the police, recovery of wooden stick was made, petitioner was released on ad interim pre arrest bail and that his custodial interrogation is not required.

4. In view of the statement of learned State counsel, order dated 23.09.2021, 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.

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

(B.S. Walia)
Judge

04.10.2021
'Amit'

Whether speaking/ reasoned	:	Yes/No
Whether reportable	:	Yes/No