

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

206

CRM-M-36255 of 2021
Date of Decision : 15.11.2021

Sahib Singh

...Petitioner

Versus

State of Punjab

...Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Sukhveer Kaur, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

Harsimran Singh Sethi, J. (Oral

Petitioner is seeking anticipatory bail in FIR No.160 dated 28.07.2021 registered under Sections 353, 186, 332, 427 and 34 of the IPC at Police Station City-1 Abohar, District Fazilka.

Learned counsel for the petitioner submits that the petitioner has joined investigation in terms of the order passed by a Coordinate Bench this Court on 03.09.2021. Order dated 03.09.2021 is as under:-

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

Learned counsel for the petitioner contends that the petitioner is serving as a Conductor on a private bus. Complainant is also serving as a Conductor in Railways Department. The occurrence took place on 19.07.2021 and the FIR came to be registered on 28.07.2021.

Learned counsel submits that infact the occurrence took place on 14.07.2021 in which he has also received injuries on different parts of the body. Offence under Section 427 IPC is non-cognizable in nature. Offences under Sections 353 and 332 IPC are aggravated form of offence under Section 186 IPC which is also non-cognizable in nature.

On this premise, learned counsel relies upon **Nirbhai Singh vs State of Punjab and another,**

2009(4) RCR (Criminal) 614 and Ram Kumar vs State of Haryana, 1998(1) PLR 633.

Notice of motion for 15.11.2021.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 08.09.2021 at 11:00 A.M. and in the event of his arrest, he shall be enlarged on *interim* bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer.

However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Nothing expressed hereinabove shall be construed to be an opinion on the merits of the case. The case shall be decided on merits on the adjourned date.”

Learned State counsel on instructions from ASI Paramjit Singh

states that in terms of the order passed by a Coordinate Bench this Court reproduced before, the petitioner has joined investigation and he is not required for further interrogation, at this stage.

In view of the above, the order dated 03.09.2021 passed by a Coordinate Bench this Court granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

November 15, 2021

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No