

CRM-M-32251-2020

Date of Decision: 14.01.2021

Harjinder Singh @ Bunty

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. K.B.S. Mann, Advocate, for the petitioner.

Mr. Ramdeep Partap Singh, D.A.G., Punjab.

Mr. Gagandeep Singh Virk, Advocate,
for the complainant.

AMOL RATTAN SINGH, J. (ORAL)

Case heard by video conferencing.

By this petition, the petitioner seeks the concession of 'pre-arrest bail' upon FIR No. 0117 having been registered against him at Police Station Sangat, District Bathinda, on 14.06.2020, alleging therein the commission of offences punishable under Section 307/324/323/34 of the IPC.

Learned State counsel, on instructions from ASI Jagjit Singh, submits that the petitioner has joined investigation pursuant to the order dated 12.10.2020 and presently his custodial interrogation is not required.

In view of above, the petition has been rendered infructuous and is disposed of as such.

However, if the petitioners' custodial interrogation is required at any stage hereinafter, in the context of the FIR in question, he would be given 7 days notice before arrest, duly shown to be served upon them.

Naturally, if the complainant is aggrieved in any manner, of lack of proper investigation, he/she would be always at liberty to avail of his/her remedy as per law.

It is to be noticed that learned counsel for the complainant also wishes to point out to this court that as per the reply filed on behalf of the State, the petitioner and his companions have been shown to be the aggressors in the matter.

Having considered that fact, what is to be remembered is that this is a petition filed by the petitioner seeking the concession of anticipatory bail.

Naturally, if the investigating agency has obtained all information that it wants from the petitioner and does not require his custodial interrogation, this court would not direct his arrest, unless in a petition filed by the complainant to the effect that the investigating agency is deliberately trying to shield the petitioner, it can be shown to be so, upon which appropriate orders may be passed, if necessary.

Hence, as regards the present petition, without making any comment on the actual merits of the case, the order passed hereinabove is reiterated.

January 14, 2021
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Whether speaking/reasoned
Whether Reportable

(AMOL RATTAN SINGH)
JUDGE

Yes
No.