

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 204

CRM-M-38226-2021

Date of decision : 13.12.2021

Harwinder Singh @ Kala

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.P.S.Sekhon, Advocate, for the petitioner.

Mr.Amandeep Singh Gill, Sr.DAG, Punjab.

Mr.K.S.Sekhon, Advocate, for the complainant.

DEEPAK SIBAL, J. (ORAL)

The matter has been taken up through video conferencing.

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.143 dated 12.08.2021 registered under Sections 307, 324, 323, 506, 427 and 34 IPC at Police Station Sangat, District Bathinda.

On 20.09.2021 this Court had passed the following order: -

“Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in this case due to enmity between the petitioner and the complainant; the petitioner has no criminal antecedents; even if the case of the prosecution is taken as the gospel truth, though vehemently denied, no injury is attributed to the petitioner; the only allegation against the petitioner is that he tried to run over the complainant's son Jagdeep Singh with his tractor which, on the face of it, has been made only to falsely implicated the petitioner and that the petitioner is ready and willing to join the investigation as and when called by the investigating agency.

Notice of motion.

Mr. Jagmohan S. Ghumman, DAG, Punjab accepts notice on behalf of the respondent-State. Mr. Nirmaljeet Singh Sidhu, Advocate puts in appearance for the complainant

For arguments, adjourned to 13.12.2021.

In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438 (2) Cr.P.C, in the event of his arrest in FIR No. 143 dated 12.08.2021 registered under Sections 307, 324, 323, 506, 427 & 34 IPC at Police Station Sangat, district Bathinda, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

Learned State counsel submits that in pursuance to the afore quoted order the petitioner has joined investigation; has cooperated with the investigating agency and that his custodial interrogation is not required by the State.

In view of the above and the statement made by learned State counsel that the petitioner's custodial interrogation is not required, the order of this Court dated 20.09.2021, granting ad interim anticipatory bail to the petitioner is made absolute.

13.12.2021
shamsher

[DEEPAK SIBAL]
JUDGE

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