

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-39432-2021

Date of decision : 07.12.2021

Pardeep Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.J.S.Sandhu, Advocate
for the petitioner.

Mr.Sukhbeer Singh, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.104 dated 10.07.2021 registered under Sections 307, 341, 324, 323, 506, 427, 148, 149 IPC at Police Station Sadar Bathinda, District Bathinda.

On 22.09.2021, this Court had passed the following order:-

“Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.104 dated 10.07.2021 registered under Sections 307, 341, 324, 323, 506, 427, 148, 149 of the Indian Penal Code, 1860 at Police Station Sadar Bathinda, District Bathinda.

Learned counsel for the petitioner inter alia contends that in the present case, the injuries which are stated to be dangerous to life have not been attributed to the petitioner and have been attributed to Gobind Singh and the allegations against the petitioner are with

respect to the stick blows which are stated to have been given to the complainant. It is submitted that in fact, the entire family of Didar Singh has been roped in the case and although, it has been alleged that Sandeep Singh was having an iron rod but as far as the weapon which the petitioner is stated to be carrying was only a stick and cannot be treated as a dangerous weapon. It is further submitted that the petitioner is not involved in any other case.

Notice of motion.

On asking of the Court, Mr. Saurav Khurana, DAG, Punjab, appears and accepts notice on behalf of State of Punjab and seeks time to get instructions.

Adjourned to 07.12.2021.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner has submitted that in pursuance of said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from HC Kulwinder Singh, has submitted that the petitioner has joined the investigation on 23.11.2021 and is no more required for custodial investigation.

Keeping in view the above said facts and circumstances, more so the fact which had been stipulated in the order dated 22.09.2021, and also the fact that the petitioner has joined investigation and is no more required for custodial interrogation, the present petition for anticipatory bail is allowed and interim order dated 22.09.2021 is made absolute.

Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(VIKAS BAHL)
JUDGE

December 07, 2021
Davinder Kumar

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