

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(206)

CRM-M No.42623 of 2021
Date of Decision : 15.12.2021

Lovepreet Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

(Through Video Conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. A.S. Sidhu, Advocate
for the petitioner.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

Harsimran Singh Sethi, J. (Oral)

The petitioner is seeking anticipatory bail in FIR No.99 dated 12.08.2021 under Sections 341/379/427/323/148/149 IPC registered at Police Station Nehianwala, District Bathinda.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by this Court dated 11.10.2021. Order dated 11.10.2021 is as under:-

“The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioner in respect of FIR No.99 dated 12.08.2021 registered under Sections 341, 379, 427, 323, 148 and 149 of the IPC at Police Station Nehianwala, District Bathinda.

Learned counsel for the petitioner argues that the only allegation against the petitioner is of giving blow on the head of the complainant with a baseball bat, which resulted into an injury, which is concededly simple in nature. Learned counsel for the petitioner submits that there is no allegation alleged against the petitioner with regard to snatching of

money so as to invoke Section 379 of the IPC, which is the only nonbailable offence in the present FIR. Learned counsel for the petitioner further submits that the petitioner is ready to join and cooperate in investigation and, therefore, he be granted the benefit of anticipatory bail.

Notice of motion for 10.12.2021.

Mr. Ramdeep Partap Singh, DAG, Punjab, who is present in the Court accepts notice on behalf of respondent-State.

Learned State counsel concedes that the injury attributed to the petitioner was simple in nature though, the weapon, which is stated to be used in the crime, is yet to be recovered and there were 10 to 12 persons, who attacked the complainant, which shows the intensity of the incident and, therefore, the prayer of the petitioner for the grant of anticipatory bail may kindly be rejected.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

Once, the injury attributed to the petitioner is simple in nature and the learned counsel for the petitioner undertakes before this Court that the petitioner will join and cooperate in investigation with respect to recovery of weapon as well, the purpose of investigation will be achieved in case, a direction is issued to the petitioner to join and cooperate in investigation.

The petitioner is directed to join the investigation forthwith. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer/Investigating Officer on his furnishing bail bonds/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer subject to the following conditions:-

- (i) That he shall make himself available for interrogation by the police officer as and when required.
- (ii) That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the said facts to the Court or to any police officer.
- (iii) That he shall not leave India without prior permission of the Court.
- (iv) That he shall abide by all the conditions as enshrined under Section 438(2) Cr.P.C. ”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Kuldeep Singh states

that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and no further interrogation is required at this stage.

Learned counsel for the petitioner undertakes that petitioner will join investigation and also cooperate with the investigating agency in case he is required for the same in future as well.

In view of the above, the order dated 11.10.2021 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 cooperating, he will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

15.12.2021
jt

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*
Whether reportable? *No*