

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

210

CRM-M-38644-2020

DATE OF DECISION: 15.01.2021

KUKA @ SUKHWINDER SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Jashandeep Singh, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking anticipatory bail in FIR No. 0049 dated 18.6.2020, under Sections 323, 324, 341, 506 read with Section 34 of the Indian Penal Code, 1860 ('IPC' - for short) (Section 326 IPC added subsequently), registered at Police Station Sadar Raikot, District Ludhiana Rural.

Learned counsel for the petitioner contends that the allegations against the petitioner are that he is alleged to have hit the complainant with a baseball bat on his face. The petitioner is 15 years of age and is not involved in any other case. He also contends that the injury for which offence punishable under Section 326 IPC has been invoked is attributed to co-accused, who is alleged to have caused a sword blow on the shoulder of the complainant. He further contends that co-accused Waheguru Singh alias Jagjeet Singh has been granted anticipatory bail by order dated 18.11.2020 passed by a Coordinate Bench of this Court in CRM-M No. 24040 of 2020. The co-accused Sarani @ Sarandeep Singh has also been granted ad interim

bail by the coordinate Bench of this Court on 21.09.2020 in CRM-M-27916-2020.

This Court by the order dated 26.11.2020 had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Short affidavit of DSP, Raikot, District Ludhiana (Rural) is taken on record. Learned State counsel, upon instructions from ASI Pahara Singh, states that the petitioner has joined the investigation and is not required for custodial interrogation.

In view of the above and the petitioner having joined investigation, the order dated 26.11.2020 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.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

15.01.2021

SwarnjitS

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