

CRM-M-43257-2021

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(206)

CRM-M-43257-2021.

Date of Decision:-01.12.2021.

Jaskaran Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Tarun Sharma, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

This is the first petition under Section 438 of Cr.P.C. for grant of pre-arrest bail to the petitioner in case FIR No.0082 dated 31.08.2021 under Sections 324, 323, 148 and 149 of IPC, registered at Police Station Mallanwala, District Ferozepur.

On 13.10.2021, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner, inter-alia, contends that in the present case, there is a delay of 10 days in registration of the FIR and although the complainant is said to have received 03 injuries but the injury which has been attributed to the petitioner is simple in nature and it is the

injury attributed to Balvir Singh, which has attracted the provisions of Section 326 of IPC. It is further submitted that the petitioner is a young boy of 18 years and there is no other case against him and even the petitioner is ready to co-operate in the investigation.

Notice of motion.

On advance notice, Mr. Saurav Khurana, DAG, Punjab, appears and accepts notice on behalf of the respondent-State.

Adjourned to 01.12.2021.

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 the above order, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Darshan Singh, has submitted that the petitioner has joined the investigation and is not required for further investigation.

Keeping in view the above-said facts and circumstances, moreso, the facts noticed in the order dated 13.10.2021 and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition for grant of anticipatory bail is allowed and the interim order dated 13.10.2021 is made absolute.

However, nothing stated above shall be construed as a final

CRM-M-43257-2021

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 application.

(VIKAS BAHL)
JUDGE

December 01, 2021.

sandeep

Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No