

CRM-M-33435-2019 (O&M)

Date of Decision: 27.07.2021

Yadwinder Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Vikas Gupta, Advocate,
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

This petition has been filed under the provisions of Section 438 of the Cr.P.C., for grant of 'anticipatory bail' to the petitioner in case DDR No. 40, dated 12.10.2018, (in FIR No. 268, dated 11.10.2018, alleging therein the commission of offences punishable under the provisions of Sections 323/324/506/34/326 of the IPC), with the DDR registered for the alleged commission of offences punishable under the provisions of Sections 323/324/506/34/326 at Police Station City Tara Taran.

The arrest of the petitioner was stayed by this court vide an order dated 26.09.2019.

Thereafter, on 13.01.2020, the following order had been passed by this court (co-ordinate Bench):-

“Learned State counsel submits that as the arrest of the petitioner has been stayed, the petitioner has not come present for joining investigation.

On the other hand, learned counsel for the petitioner submits that the petitioner was never called by the police and otherwise also, he is ready to join the investigation as and when called by the police.

In view of above undertaking, on instructions, given by the learned counsel for the petitioner with regard to petitioner joining investigation as and when called by the police, adjourned to 23.03.2020.

Interim order to continue.”

Today, learned State counsel, on instructions from ASI Joginder Singh, submits that the petitioner has joined investigation pursuant to the aforesaid order and presently his custodial interrogation is not required.

In view of above, the petition has actually been rendered infructuous and is disposed of as such.

However, if the petitioners' custodial interrogation is required at any stage hereinafter, in the context of the FIR in question, he would be given 7 days notice before arrest, duly shown to be served upon them.

Naturally, if the complainant is aggrieved in any manner, of lack of proper investigation, he would be always at liberty to avail of his remedy as per law.

July 27, 2021
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.