

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

(206/A)

CRM-M-44938-2021.
Date of Decision:-01.12.2021.

Satpal

.....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 (Section 326 of IPC added later on), registered at Police Station Mallanwala, District Ferozepur.

On 28.10.2021, 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 for which there is no plausible explanation. It is further submitted that although, the son of the complainant had received three injuries which have been

CRM-M-44938-2021

attributed to the petitioner but the same are simple in nature and the petitioner has also been alleged to be armed with daang which is not a sharp edged weapon and the injury attracting Section 326 of IPC has been attributed to Balvir Singh. It is further submitted that the petitioner is not involved in any other case and co-accused of the petitioner namely Jaskaran Singh has already been granted the interim protection by this Court vide order dated 13.10.2021 in CRM-M-43257-2021.

Notice of motion.

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

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.

To be heard alongwith CRM-M-43257-2021.”

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

CRM-M-44938-2021

not required for further investigation.

Keeping in view the above-said facts and circumstances, moreso, the facts noticed in the order dated 28.10.2021 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 28.10.2021 is made absolute.

However, nothing stated above shall be construed as a final 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