

CRM-M No.43324 of 2020

Date of Decision : 10.09.2021

Joga Singh

...Petitioner

Versus

State of Punjab

....Respondent

Coram : Hon'ble Mr. Justice B.S. Walia**Present :** Mr. Amit Arora, Advocate for the petitioner.
Mr. Balbir Singh Sewak, Addl. AG, Punjab.

B.S. Walia, J. (Oral)

1. Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.209 dated 16.09.2020 registered under Sections 452, 336, 323, 324, 326, 506, 427, 148 and 149 IPC, 1860 and Sections 25 & 27 of the Arms Act, 1959 at Police Station Sadar Patti, District Tarn Taran.

2. On 12.01.2021, the following order was passed:-

“ The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Learned counsel for the petitioner has argued that learned Additional Sessions Judge, Tarn Taran, declined anticipatory bail to the petitioner on a wrong premise that the petitioner has given a 'Datar' blow to the complainant aimed at his head, but the complainant raised his left arm upward, as a result of which, the blow of 'Datar' landed on the left arm of the complainant.

Adjourned to 26.03.2021.

Meanwhile, in the event of arrest of the petitioner, he shall be released on ad interim bail to the satisfaction of the arresting officer. However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.PC. ”

3. Today, learned counsel for the petitioner contends while learned State counsel on instructions from *ASI Gurdayal Singh*, confirms that pursuant to the order of this Court dated 12.01.2021, the petitioner joined investigation, fully cooperated with the police, was released on ad interim pre arrest bail and that his custodial interrogation is not required.

4. In view of the statement of learned State counsel, order dated 12.01.2021, passed by this Court, is made absolute. The petitioner shall abide with the conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case.

5. Petition stands *disposed of* in the aforementioned terms.

(B.S. Walia)
Judge

10.09.2021

'Rajneesh-Amit'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>