

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-35-2021 (O&M)
Date of Decision:- 17.8.2021

Vikas Kumar alias Sourab

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sachin Ohri, Advocate, for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab,
assisted by SI Jagsir Singh.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.90, dated 14.8.2020, Police Station Behrampur, District Gurdaspur, under Sections 323, 324, 506, 148, 149 IPC (Section 326 IPC added later on).
2. At the time of issuance of notice of motion on 6.1.2021 the following order was passed:

“Learned counsel for the petitioner submits that it is a case of cross-version wherein the petitioner is alleged to have caused an injury with a ‘*datar*’ on the left

wrist of the complainant whereas infact the petitioner himself has sustained injury on head with a sharp edged weapon as would be evident from the MLR (Annexure P-2). It has further been submitted that another person from the side of the petitioner i.e. Rakesh Kumar has also sustained as many as 4 injuries including a grievous injury.

Notice of motion for 28.4.2021.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel, upon instructions from SI Jagsir Singh, has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation as challan already stands presented.
4. Having regard to the facts and circumstances of the case and while noticing that even the petitioner and one more person from the side of the accused are stated to have sustained injuries and also that challan already stands presented, the custodial interrogation of the petitioner is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 6.1.2021 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with

the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

17.8.2021
Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No