

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of Decision: February 22, 2021

Satpal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Karan Nehra, Advocate,
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Mr. Paras Jhamb, Advocate,
for the complainant.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No. 94 dated 18.11.2020, under Sections 326, 148 and 149 IPC 1860, registered at Police Station, Amir Khas, District Fazilka. The petitioner apprehended his arrest at the hands of police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 01.01.2021, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Counsel inter alia contends that the occurrence took place in the street on the day of Diwali on account of fire crackers being used. The allegation against the petitioner is only of raising lalkara and the injury on the left eye of Gagandeep has been inflicted by Babbu s/o Maan Singh. It is submitted that a complaint has been filed against the complainant (Annexure P-2) describing the version of the petitioner's side. Accordingly, it is submitted that the petitioner is 67 years of age and, thus,

has been falsely roped in as the FIR has been lodged after a period of 4 days.

Notice of motion.

Mr. R.S. Khaira, AAG, Punjab accepts notice on behalf of the State and Mr. Paras Jhamb, Advocate puts in appearance on behalf of the complainant.

Adjourned to 22.02.2021.

In the meantime, it is directed that the petitioner shall join investigation and in the event of arrest of the petitioner, he shall be released on ad-interim bail subject to the satisfaction of the investigation officer. The petitioner shall join investigation as and when required and shall comply with the conditions laid down in Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the police and joined the investigation. According to him, the petitioner cooperated with the police authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by ASI Harmeet, does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions, further states that the petitioner is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 01.01.2021 is made absolute.

February 22, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No