

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

CRM-M-52355 of 2021(O&M)

Date of Decision: 16.12.2021

Varunjot Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Pardeep Virk, Advocate
For the petitioner.**

Mr. H.S. Grewal, Addl. AG Punjab

KARAMJIT SINGH, J.(ORAL)

1. Present petition has been filed by the petitioner under Section 438 Cr.P.C. for grant of pre-arrest bail in case having FIR No. 173 dated 23.08.2021 registered at Police Station Dinanagar, District Gurdaspur, initially registered under Section 306 IPC, to which offence under Section 305 IPC was added lateron.

2. Previously, the petitioner had approached this Court by way of CRM-M-39461 of 2021 seeking anticipatory bail. He was granted interim protection vide order dated 22.09.2021 with a direction to join the investigation. Later, on having joined the investigation, the petition was allowed on 29.10.2021 and interim order dated 22.09.2021 was made absolute.

3. Learned counsel for the petitioner submits that now the investigating agency has added offence under Section 305 IPC and hence petitioner apprehends his arrest.

4. On the other hand, learned State counsel fairly admits that there is no fresh cause of action warranting custodial interrogation of the petitioner, on addition of offence qua the same incident.

5. In view of the above, I do not find any cause to send the petitioner to police custody, at this stage. Consequently, present petition is allowed, subject to the conditions as envisaged under Section 438(2) Cr.P.C. The petitioner should join the investigation as and when called to do so by the investigating agency.

16.12.2021

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**(KARAMJIT SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No