

233 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.45686 of 2019
Date of Decision : 29.07.2021

Balbir Singh ...Petitioner

Versus

State of PunjabRespondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. G.S. Sandhu, Advocate for the petitioner.
Mr. Sukhbeer Singh, AAG, Punjab.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

2. Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in cross-case recorded vide DDR No.37 dated 25.08.2019 registered under Sections 324, 323, 148, 149 IPC and offence under Section 326 IPC added later on vide DDR No.38 dated 30.08.2019 in FIR No.131 dated 24.08.2019, registered under Sections 447, 336, 323, 506, 148 & 149 IPC and Sections 25 & 27 of the Arms Act, 1959 at Police Station Sadar Malout, District Sri Muktsar Sahib.

3. On 29.10.2019, the following order was passed:-

“ It is contended by learned counsel for the petitioner that the case against the petitioner is concocted. Otherwise also, it is a case of version and cross-version; in which the main FIR was registered at the instance of son of the petitioner. In the incident, the side of the complainant had also caused injury to the side of the petitioner.

Notice of motion.

On asking of the Court, Mr.Harbir Sandhu, AAG, Punjab accepts notice on behalf of the State.

Mr. Anantdeep Singh Sandhu, Advocate has put in appearance on behalf of the Complainant.

Learned counsel for the petitioner(s) is directed to hand over a copy of the petition to the opposite counsels.

Adjourned to 20.03.2020.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds/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. ”

4. Today, learned counsel for the petitioner contends while learned State Counsel on instructions from *ASI Gurmeet Singh*, confirms that pursuant to the order of this Court dated 29.10.2019, the petitioner joined investigation, cooperated in the same, was released on ad-interim pre-arrest bail and his custodial interrogation is not required.

5. In view of the statement of the learned State Counsel, order dated 29.10.2019, passed by this Court, is made absolute. The petitioner shall continue to abide by the terms and conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be deemed to be an expression of opinion on the merits of the case.

6. Petition stands disposed of in the aforementioned terms.

(B.S. Walia)
Judge

29.07.2021

'Rajneesh'

Whether speaking/ reasoned : Yes/No
Whether reportable : Yes/No