

In the High Court of Punjab and Haryana at Chandigarh

(204)

**CRM-M No. 510 of 2022
Date of Decision: 04.5.2022**

Kuldeep Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Lupil Gupta, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

1. The instant petition has been filed under Section 438 Cr.P.C., seeking the indulgence of anticipatory bail to the petitioner.
2. In FIR bearing No. 345 of 24.12.2021, registered at Police Station Sadar Mansa, District Mansa, offences constituted under Sections 452, and, 323, are embodied.
3. The incriminatory role, as ascribed to the present petitioner, is of his through user of a *danda*, inflicting simple injuries on the person of the victim.
4. However, the learned State counsel, on instructions given to him by ASI Daljeet Singh, submits, that the petitioner has ensured, at his instance, recovery of the afore weapon of offence, to the investigating officer concerned, and, also submits, that hence no further co-operation of the present petitioner, is required in the investigations, to be made into the FIR (supra).

5. Given the above, and, also when no evidence is adduced before this Court by the prosecution, suggestive of the fact, that in the event of the petitioner, becoming admitted to bail, there is every likelihood of his fleeing from justice, and, tampering with the prosecution evidence. Therefore, this Court does not deem it fit, and, appropriate to order for the custodial interrogation of the petitioner, as it would unnecessarily fetter, and, curtail his personal liberty.

6. Consequently, the instant petition is allowed, and, the order made by this Court on 10.1.2022, is made absolute on the same terms and conditions.

7. The afore observations are meant only for the disposal of the present petition, and, shall not affect the merits of the trial arising from the FIR (supra).

(SURESHWAR THAKUR)
JUDGE

May 04, 2022
Gurpreet

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