

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

CRM-M-2575-2022 (O&M)
Date of Decision:- 20.7.2022

Johnson Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Varinder Basa, Advocate, for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab,
assisted by ASI Dalbir Singh.

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 GD No.19, dated 22.01.2021, Police Station Sadar Batala, District Batala, under Sections 323, 324, 326, 148, 149 IPC in cross-case FIR No.0007, dated 18.1.2021, under Sections 323, 324, 326, 148, 149 IPC, Police Station Sadar Batala, Gurdaspur.
2. At the time of issuance of notice of motion the following order was passed on 21.1.2022:

“Learned counsel contends that the alleged occurrence took place on 09.01.2021 and initially the FIR was lodged at the instance of Jodha son of Om Parkash against various accused persons including the complainant, namely, Heera Masih in the cross case. He submits that the assailants had entered the house of complainant-Jodha and caused injuries upon him and Amit. According to him, the petitioner has been implicated along with others in the cross case registered through DDR No.19 dated 22.01.2021 after a long delay. According to him, petitioner is willing to join the investigation.

Notice of motion for 20.07.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

3. Learned counsel for the petitioner has submitted that it is a case arising out of cross-version wherein Heera Masih from the side of the petitioner's had sustained as many as 8 injuries whereas Jodha at whose instance FIR (cross version) had been lodged had sustained 4 injuries.
4. Learned State counsel, upon instructions from ASI Dalbir Singh, has informed that pursuant to interim directions, the petitioner has joined investigation and is not required for custodial interrogation. It has also been informed that the petitioner is not wanted in any other case.

5. Having regard to the aforestated position and while bearing in mind that it is a case of cross-version and petitioner has joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 21.1.2022 is 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.

20.7.2022

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No