

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

CRM-M-4160-2022 (O&M)

Date of Decision:- 4.5.2022

Gurwinder Singh @ Laddi

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Amit Arora, Advocate, for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab,
assisted by ASI Gurpreet 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 DDR No.18, dated 24.9.2021, under Sections 323, 324, 326, 148, 149 IPC as cross version in case FIR No.130 dated 15.9.2021, Police Station Sirhali, District Tarn Taran, under Sections 452, 324, 323, 506, 427, 148, 149 IPC (Section 326 IPC added later on).
2. At the time of issuance of notice of motion the following order was passed on 2.2.2022:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide DDR No.18, dated 24.9.2021, under Sections 323, 324,

326, 148, 149 IPC as cross version in case FIR No.130 dated 15.9.2021, Police Station Sirhali, District Tarn Taran, under Sections 452, 324, 323, 506, 427, 148, 149 IPC (Section 326 IPC added later on).

Learned counsel for the petitioner submits that the dispute has arisen amongst neighbors on account of discharge of dirty water and installation of CCTV cameras.

It has been alleged that initially the petitioner's father lodged FIR No.130 wherein there are allegations to the effect that as many as 15 persons had trespassed into the house of the petitioner and had caused injuries to three persons including a grievous injury to Surjit Singh.

Learned counsel for the petitioner has further submitted that as a counterblast to the said FIR the opposite party, after about 10 days of lodging of the FIR, lodged DDR No.18 against the petitioner and others wherein it is alleged that 8 persons from the side of petitioner injured two persons from the opposite side and that Gagan had also sustained a grievous injury.

Learned counsel submits that it is a case of cross-versions wherein it is also yet to be established as to which of the party is an aggressor. It has further been submitted that some persons from the opposite side have already been released on interim bail by this Court vide order dated 23.12.2021 (Annexure P-1).

Notice of motion for 21.4.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall

abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned State counsel, upon instructions from ASI Gurpreet Singh, has informed that pursuant to interim directions, the petitioner has joined investigation and is not required for custodial interrogation.
4. Having regard to the aforestated position wherein the 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 2.2.2022 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.

4.5.2022

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No