

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

205

CRM-M-5903-2021

Date of decision: 21.04.2022

ROBINJEET SINGH

.....PETITIONER

Versus

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Ms. Navpreet Kaur Dhaliwal, Advocate
for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab

SANT PARKASH, J. (ORAL)

Prayer in this petition under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner, in case, FIR No. 340 dated 24.12.2020 registered under Sections 323, 324 read with Section 34 of the Indian Penal Code, 1860 at Police Station City Malout, District Sri Muktsar Sahib to which Section 326 IPC was added later on.

While issuing notice of motion on 10.02.2021, Co-ordinate Bench of this Court, granted interim anticipatory bail to the petitioner with direction to join the investigation. Relevant part of order dated 10.02.2021 reads as under :-

“Learned counsel for the petitioner contends that the false implication of the petitioner in the case in hand is evident from the fact that though the father of the injured was very much present at the time of the alleged occurrence, still it was only after 12 hours, the injured was taken to the hospital for her treatment. It has further been contended that the injury allegedly inflicted upon the injured attracting the mischief of Section 326 IPC is on the little finger of the left hand, which is a non vital part and seemingly a self inflicted injury. It has still further been contended that the delay in the registration of the FIR coupled with the delay in taking the injured to the hospital for her treatment and also the nature of injury left no manner of doubt that it was a false case planted upon the petitioner.

Notice of motion.

On asking of the Court, Ms. Monika Jalota, Deputy

Advocate General, Punjab, accepts notice on behalf of the respondent-State.

Mr. Raghav Gulati, Advocate has put in appearance of the complainant.

Meanwhile, petitioner is directed to join the investigation as and when required by the investigating officer. In the event of his arrest, he shall be admitted to interim bail on his/her/their furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Code of Criminal Procedure, 1973.....”

I have heard learned Counsel for the parties and gone through the case file.

Learned Counsel for the petitioner has, while reiterating submissions made on 10.02.2021, submitted that the petitioner has joined the investigation and he may be granted anticipatory bail as his custodial interrogation is not required in the case.

Learned State Counsel has, on instructions from A.S.I. Karnail Singh, acknowledged that in compliance with order dated 10.02.2021 passed by this Court, the petitioner has joined the investigation and that his custodial interrogation in the present case is not required.

In view of the facts and circumstances of the case, particularly the fact that custodial interrogation of the petitioner is not required in the case but without expressing any opinion on the merits of the case, I am of the considered view that the petitioner deserve grant of anticipatory bail.

Therefore, the petition is allowed and order dated 10.02.2021 granting interim bail to the petitioner is made absolute.

21.04.2022
kavneet singh

(SANT PARKASH)
JUDGE

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