

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.201

CRM-M-7279-2021

Date of decision: 22.02.2022

Mathew

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. Dhawaljeet Dutta, Advocate
for the complainant.

* * *

DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.251 dated 23.12.2020 registered under Sections 323, 324, 326, 34 IPC at Police Station City Gurdaspur, District Gurdaspur.

On February 16, 2021, this Court had passed the following order:-

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in the case due to political rivalry between the petitioner and the complainant party; the petitioner is not involved in any other criminal case; there is unexplained delay of 48 days in lodging of the FIR; it is a case of version and cross-version in which one of the co-accused also received injuries at the hands of the complainant; even otherwise, the injury attributed to the petitioner is a simple injury on a non-vital part of the complainant's body; the grievous injury is attributed to co-accused - Akash and the petitioner is ready and willing to join the investigation as and

when called by the Investigating Agency.

Notice of motion.

Mr. Amit Mehta, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State and Mr. Sachin Ohri, Advocate, puts in appearance on behalf of the complainant.

For arguments, adjourned to 11.05.2021.

In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C., in the event of his arrest in FIR No.251 dated 23.12.2020 registered under Section 323, 324, 326, 34 IPC at Police Station City Gurdaspur, Tehsil and District Gurdaspur, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined the investigation; co-operated with the investigating agency and that his custodial interrogation is not required by the State.

After considering the submissions made on behalf of the petitioner in the afore-quoted order and the statement made on behalf of the State, the interim order of this Court dated 16.02.2021, granting ad interim anticipatory bail to the petitioner is made absolute.

February 22, 2022

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(DEEPAK SIBAL)

JUDGE

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No