

Jagsir Singh

....Petitioner

Vs.

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJPresent: Mr. Rohit Sharma, Advocate for
Mr. Lupil Gupta, Advocate for the petitioner.

Mr. Kunal Muthreja, AAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in cross case GD No.37 dated 9.6.2021, under Sections 307, 324, 323, 506, 148 and 149, Indian Penal Code, 1860, registered at Police Station Sadar Kotkapur, District Faridkot, recorded in case FIR No.81, dated 7.6.2021 under Sections 341, 324, 323, 506, 148 and 149 IPC and later on added offence under Section 326 IPC at Police Station Sadar Kotkapur, District Faridkot, who apprehends his arrest at the hands of Police.

On 25.03.2022, this Court had passed the following order:-

“Learned counsel for the petitioner has placed reliance upon the order dated 21.12.2021 (Annexure P-5) to contend that the petitioner is similarly situated like his co-accused, namely, Happy Singh, and has been falsely implicated in the cross version recorded through DDR No.37 dated 09.06.2021 registered under Sections 307, 324, 323, 506, 148 and 149 IPC.

Learned State counsel has filed short reply by way of an affidavit of Ramandeep Singh, PPS, Deputy

Superintendent of Police, Kotkapura, District Faridkot on behalf of respondent-State of Punjab and submits that none of the injuries suffered by the injured were declared dangerous to life and considering the number of injuries, the offence punishable under Section 307 IPC was added in the FIR at later stage.

Adjourned to 26.07.2022.

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.”

Learned counsel for the petitioner has argued that in the alleged occurrence, both the sides have suffered injuries and the petitioner was falsely implicated in the cross-version recorded through GD No.37 dated 9.6.2021, under Sections 307, 324, 323, 506, 148 and 149, Indian Penal Code, 1860, registered at Police Station Sadar Kotkapur, District Faridkot. He states that in compliance of the order dated 25.3.2022, the petitioner associated himself in the investigation and cooperated during interrogation.

Learned State counsel who is instructed by ASI Sukhwinder Singh states that indeed the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 25.03.2022 is made absolute.

30.11.2022
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(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No