

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-11656-2022

Date of decision:11.07.2022

BALDEV SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Ritesh Pandey, Advocate
for the petitioner.

Mr. Harpreet Singh Multani, AAG, Punjab

SURESHWAR THAKUR, J. (ORAL)

1. The petitioner, by filing the present petition cast under Section 438 of Cr.P.C., seeks grant of anticipatory bail in case FIR No.27 of 10.02.2022, registered at Police Station Shri Hargobindpur, District Batala, wherein offences constituted, under Sections 323, 324, 325, 326, 148, 149 of IPC, are embodied.

2. This Court, through an order made, on 21.03.2022 had granted *ad-interim* bail to the present bail petitioner.

3. The incriminatory role, as assigned to the present bail petitioner is that, qua his along with the other members of the unlawful assembly causing an assault on the person of the victim, and, also causing simple injuries, on his person.

4. The learned State counsel, on instructions given to him, by ASI Ramesh Kumar submits, that the present bail petitioner has ensured the recovery of the incriminatory weapon of offence, at his instance, to the investigating officer concerned. Furthermore, he also makes a submission that, the condition of the victim is stable.

5. Consequently, in the wake of the above, and, especially when only simple injuries, became inflicted on the person of the victim, by the present bail petitioner, through his using the recovered incriminatory weapon of offence, thereupon, when only for the purpose of ensuring the effecuation(s) of apposite recovery, rather the custodial interrogation of the present bail petitioner may become necessitated. However, when the relevant recovery has been caused by the present bail petitioner, to the investigating officer concerned, besides when the condition of the victim is stated to be stable. Therefore, this Court does not deem it fit, and, appropriate to order for the custodial interrogation of the present bail petitioner.

6. In summa the order as made, by this Court, on 21.03.2022, is made absolute on the same terms and conditions. In addition, he shall not tamper with prosecution evidence nor shall influence the prosecution witnesses.

7. Disposed of.

(SURESHWAR THAKUR)
JUDGE

11.07.2022

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