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

CRM-M-14652-2022

Date of decision : 25.08.2022

Dipreet @ Dilpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Suvir Sidhu, Advocate and
Mr. Mandeep Singla, Advocate for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

Mr. Tejinder Pal Singh, Advocate for the complainant.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.9 dated 20.01.2022 registered under Sections 324, 323 and 34 of the Indian Penal Code, 1860 (Sections 325, 326 and 307 of IPC have been added later on) at Police Station Rahon, District SBS Nagar.

On 10.05.2022, a Coordinate Bench of this Court was pleased to pass the following order:-

“The petitioner has approached this Court under Section 438 Code of Criminal Procedure for grant of pre-arrest bail in case FIR No.09 dated 20.01.2022 under Sections 324, 323 and 34 of the Indian Penal Code (offence under Sections 325, 326, 307 IPC were added later on)

registered at Police Station Rahon, District SBS Nagar.

Learned counsel appearing for the petitioner inter alia contends that the incident in question is stated to have taken place on 17.1.2022 and the complainant who is father of injured/victim Mohinder Pal has stated that when he reached hospital, his son was conscious and had informed him that beatings had been given by Ravi son of Jagan Nath alongwith 3-4 other unknown persons and that even as per Medico Legal Report of injured Mohinder Pal dated 17.1.2022, it is specifically noticed by the attending doctor that the patient was conscious and well oriented. He submitted that name of the petitioner was disclosed after five days of the incident and there is no satisfactory explanation as to why name of petitioner was not disclosed at the first instance when Mohinder Pal informed about the injuries having been caused by Ravi son of Jagan Nath and 3-4 persons. He further submits that the petitioner does not have any criminal antecedents and that he is ready and willing to join investigation. Moreover, even as per the allegations levelled, the injuries attracting Section 307 IPC are not attributed to the petitioner.

List on 25.08.2022 for further consideration.

In the meanwhile, the petitioner is directed to join investigation as and when so required by the Investigating Agency. In the event of petitioner joining investigation, he shall be admitted to interim bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

Sd/-(VINOD S. BHARDWAJ)

JUDGE

10.05.2022”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 10.05.2022, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Paramjit Singh, has submitted that the petitioner has joined the investigation and is not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 10.05.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 10.05.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

25.08.2022*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**