

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

204

CRM-M-16455-2022 (O&M)

Date of Decision: 16.09.2022

Gurjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Vivek K. Thakur, Advocate, for the petitioner.

Mr. Luvinder Sofat, DAG, Punjab,
assisted by ASI Pritam Singh.

Mr. Sanjeev Sharma, Advocate, for the complainant.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.27 dated 27.03.2022 at Police Station Nangal, District Rupnagar, under Sections 323/341/506/34 IPC, whereas Section 308 IPC is added later on.
2. At the time of issuance of notice of motion on 22.04.2022, the following order was passed:

“The petitioner seeks grant of anticipatory bail pertaining to an occurrence which allegedly took place on the night intervening 23/24.3.2022 wherein it is alleged that some injuries have been caused to Dev Raj.

Learned counsel for the petitioner submits that while in the complaint (Annexure P-1) pertaining to said occurrence, two persons were named as assailants namely Baljit Singh and Rimpi, but in another complaint pertaining to the same occurrence three persons have been named therein which includes the petitioner.

Learned counsel further submits that however, subsequently the FIR came to be lodged at the instance of Surjit Singh brother of Dev Raj wherein the petitioner has been named. Learned counsel further submits that a perusal of the FIR would indicate that all the injuries are stated to be in the nature of lacerations whereas the petitioner is alleged to be armed with a 'gandasi'. It has further been submitted that the petitioner in any case is not attributed any specific injury.

Notice of motion for 4.11.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

3. Learned counsel representing the complainant has vehemently opposed the petition, but the learned State counsel upon instructions has informed that pursuant to the petitioner joining investigation, he has been found innocent and is not required for any custodial interrogation.
4. Having regard to the aforestated position, wherein the police during investigation found the petitioner innocent, the petition is accepted and the interim directions issued by this Court vide order dated 22.04.2022 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

16.09.2022

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**(GURVINDER SINGH GILL)
JUDGE**Whether speaking/reasoned: **Yes/No**Whether reportable: **Yes/No**