

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202

CRM-M-17024-2022

Decided on :11.07.2022

Jatinder Kumar @ Jinda

. . . Petitioner

Versus

State of Punjab

. . . Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Prabhjayot Singh Chahal, Advocate for
Mr. Naveen Sharma, Advocate
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

VIKAS BAHL, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioner in FIR No. 229 dated 31.08.2021 registered under Sections 323, 379-B and 34 of the Indian Penal Code, 1860 registered at Police Station Phillaur, Police District Jalandhar Rural, District Jalandhar.

On 26.04.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia contends that in the present case, the alleged injuries suffered by the complainant are simple in nature. It is submitted that there is no MLR of the mother of the complainant. It is further submitted that the version in the FIR is highly improbable as it is hard to believe that the petitioner would leave his motorcycle and run away from the spot and in fact, it was the complainant who had humiliated the petitioner in public view and had snatched his motorcycle.

Notice of motion.

On asking of the Court, Mr. Sarabjit S. Cheema, AAG, Punjab, appears and accepts notice on behalf of State of

Punjab and seeks time to get instructions.

Adjourned to 11.07.2022.

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

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

Learned counsel for the State, on instructions from ASI Bhupinder Singh, has submitted that the petitioner has joined the investigation on 09.05.2022.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 26.04.2022 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 26.04.2022 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.

(VIKAS BAHL)
JUDGE

July 11th,2022
Mehak

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No