

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

219

CRM-M-18383 of 2022
Date of decision:13.09.2022

Bachan Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Deepak Sabherwal, Advocate
for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. A.P.S.Mann, Advocate
for the complainant.

SUVIR SEHGAL, J. (Oral)

On 04.05.2022, this Court passed the following order:-

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking pre-arrest bail in case FIR No.0145 dated 26.03.2022, registered for offences under Sections 452, 323, 506, 148 and 149 of the Indian Penal Code, 1860 (for short “IPC”) (Section 354, IPC was added later on), at Police Station Sohana, SAS Nagar (Mohali).

Counsel for the petitioner contends that a dispute arose between petitioner's nephew, Charanjit Singh, and the complainant over installation of electricity poles. He submits that the allegation qua the petitioner is that he, accompanied

with 8-9 goons, attacked the complainant as well as his family members. He submits that the petitioner is alleged to be armed with a wooden stick and has allegedly inflicted injuries on the legs and ankles of the wife of the complainant. An argument has been raised by the counsel for the petitioner that Section 354, IPC has been invoked after thirteen days of the alleged incident on the statement of Baljinder Kaur, mother of the complainant, and the offence is alleged to have been committed by an unknown muffled person.

Notice of motion.

On asking of the Court, Mr. A.S.Gill, Senior DAG, Punjab accepts notice on behalf of respondent-State. Mr. Gursharan Singh, Advocate, who is assisting Ms. Gursharn Kaur, Senior Advocate, has appeared on behalf of the complainant and has filed Vakalatnama, which is taken on record.

List on 13.09.2022.

The petitioner shall appear before the Investigating Officer and join the investigation and would appear as and when called by the Investigating Officer. In the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Upon instructions from ASI Baljinder, State counsel submits that petitioner has joined investigation, recovery has been effected from him and he is no longer required for custodial interrogation.

In view of the above facts, but without commenting on the merits of the case, present petition is allowed and order dated 04.05.2022 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438 (2) Cr.P.C.

September 13, 2022

savita

(SUVIR SEHGAL)
JUDGE

<i>Whether Speaking/Reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>