

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-20024-2022

Date of decision : 18.07.2022

Daljeet Singh @ Jeeta

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHLPresent: MrShoryaveer Vashist, Advocate.
for the petitioner.

Mr.Sarabjit Singh Cheema, AAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.28 dated 06.04.2022 registered under Sections 324, 323, 34 IPC (Section 326 IPC added later on) at Police Station Sadar Nawanshahr, District Shaheed Bhagat Singh Nagar, during the pendency of trial.

On 11.05.2022, this Court was pleased to pass the following order:-

“Inter alia, contends that the present case is a version and cross-version and as per the version given by father of the petitioner, he had also suffered three injuries. It is submitted that the present FIR has been registered after a delay of four days from the date of the occurrence, inasmuch as, the occurrence had taken place on 02.04.2022 and the FIR has been registered on 06.04.2022 and even as per the said FIR, only one injury has been attributed to the present petitioner on the left wrist, although, the said injury is grievous in nature. It is further submitted that even as per the FIR, it was the complainant party which had restrained the petitioner and his father and thus, the question as to who was the aggressor, would be considered during the course of trial. It is also submitted that the petitioner is not involved in any other case.

Notice of motion.

On advance notice, Mr. Sarabjit S. Cheema, AAG, Punjab appears and accepts notice on behalf of the State and seeks time to get instructions.

Adjourned to 18.07.2022.

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.

May 11, 2022
(VIKAS BAHL)
JUDGE”

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

Learned State counsel, on instructions from HC Sandeep Kumar, has submitted that the petitioner has joined investigation and is not required for further investigation.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 11.05.2022, and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and the interim order dated 11.05.2022 is made absolute.

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 petition.

(VIKAS BAHL)
JUDGE

July 18, 2022
Davinder Kumar