

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-23601 of 2022

Date of Decision: 27th May, 2022

Kuldeepsingh @ Deepa

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. A. S. Brar, Advocate for the petitioner.
Mr. Amit Mehta, Senior DAG, Punjab.

AVNEESH JHINGAN , J.(Oral)

This is a petition seeking anticipatory bail in FIR No. 4 dated 15.1.2022, under Sections 341, 323, 324, 506, 34 IPC (Section 326 IPC added later on), registered at police Station City Balachaur, District SBS Nagar.

As per the case set up, on 6.1.2022, complainant Rahul along with his friend-Hira Lal were attacked by Kuldeep Singh @ Deepa (petitioner) armed with iron *datar* and Raman @ Gholi armed with kulhara. The role attributed to the petitioner is that he gave a *datar* blow on the left ear of the complainant and *datar* blows on the back side of head of Hira Lal as well as on his wrist.

The petitioner had joined the investigation on 19.1.2022 and was granted bail by the police. *Datar* and car allegedly used in the incident was recovered. However, later Section 326 IPC was invoked.

Learned counsel for the petitioner submits that the petitioner has already joined the investigation and no recovery is to be made.

Learned counsel for the State appearing on advance notice opposes the prayer for grant of anticipatory bail. He submits that the petitioner is involved in another FIR.

Without commenting on the merits of the case, considering that the petitioner had already joined investigation and no further recovery is to be made, the petitioner is granted anticipatory bail subject to his joining investigation within ten days. In the event of his arrest, the petitioner shall be released on bail subject to his furnishing adequate bail bonds to the satisfaction of the Arresting Officer. He is directed to join the investigation as and when called for. He shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

The petition is allowed.

In case of failure of petitioner to join the investigation, the State would be at liberty to file an application for re-calling of this order.

(AVNEESH JHINGAN)
JUDGE

27th May, 2022
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Whether reasoned/speaking	Yes/No
Whether reportable	Yes/No