

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

212

CRM-M-28021-2022

Date of Decision: 15.09.2022

Naresh Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Naveen Kumar, Advocate, for
Mr. P.K.S.Phoolka, Advocate, for the petitioner.

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

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No. 66 dated 27.05.2022, registered under Sections 452, 324, 323, 148, 149 of the IPC (Section 326 IPC added later on) at Police Station Maur, Bathinda, District Bathinda.
2. At the time of issuance of notice of motion on 04.07.2022, the following order was passed:

“Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 66 dated 27.05.2022, registered under Sections 452, 324, 323, 148, 149 of the IPC (Section 326 IPC added later on) at Police Station Maur, Bathinda, District Bathinda.

Learned counsel for the petitioner submits that though as per allegations in the FIR, the petitioner has given a blow on the head of complainant Sanjay Kumar with the pointed side of an umbrella, however, the petitioner is willing to explore the possibility of an amicable settlement and in order to show his bona fide, he will hand over a sum of

Rs.50,000/- to the complainant towards his medical expenses, without any prejudice to his right of defence.

Notice of motion.

Mr. Joginder Pal Ratra, DAG, Punjab, who is present in Court, accepts notice on behalf of the respondent-State and seeks some time to address arguments.

List again on 15.09.2022.

Meanwhile, in the event of arrest, the petitioner 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. However, this will be subject to a condition that the petitioner will hand over a demand draft of Rs.50,000/-, favouring complainant Sanjay Kumar, to the Investigating Officer within a period of one week from today and the same will be further handed over to complainant Sanjay Kumar, in due course.

The payment of aforesaid amount shall not cause any prejudice to the right of defence of the petitioner.”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation and that he is not wanted in any other case.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for custodial interrogation and otherwise has a clean record, the petition is accepted and the interim directions issued by this Court vide order dated 04.07.2022 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.

15.09.2022

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**