

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(201)

CRM-M-32010-2022

Date of decision: - 08.09.2022

Sandeep Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Bhupinder Ghai, Advocate, for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

Mr. P.S. Paul, Advocate, for the complainant.

VIKAS BAHL, J. (ORAL)

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.44 dated 27.06.2022, under Sections 452, 323, 427, 506, 148 and 149 IPC (Section 458 IPC has been added later on), registered at Police Station Block Majri, District Mohali.

On 26.07.2022, this Court was pleased to pass the following order:-

“Inter alia contends that even as per the FIR, no injury has been attributed to the petitioner and it has only been alleged that the petitioner alongwith co-accused Gurjant Singh had caught hold of the complainant. It is further submitted that only one injury has been suffered by the complainant & the same has been attributed to co-accused Davinder Singh which has also been caused on the little finger of left hand of the complainant. It is contended that the petitioner is not involved in any other case and he has been implicated in the case only on account of being Sarpanch of the village and in fact, no incident as depicted in the FIR has taken place.

Notice of motion for 08.09.2022.

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.

(VIKAS BAHL)
JUDGE

26.07.2022"

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

Learned State counsel, on instructions from ASI Harinder Singh, has submitted that the petitioner has joined the investigation and is not required for further investigation.

Keeping in view the abovesaid facts and circumstances more so, the facts which have been noticed in abovesaid order dated 26.07.2022 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 26.07.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as a final 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.

September 08, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No