

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-35224-2022 (O&M)
Date of Decision:- 23.11.2022

Sarwan Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Piyush Sharma, Advocate for the petitioner.

Ms. Swati Batra, DAG, Punjab.
assisted by ASI Gurnam Singh.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner seeks grant of anticipatory bail in a case bearing DDR No. 39 dated 20.06.2022 under Sections 326, 324, 323, 148 and 149 of the Indian Penal Code, registered at Police Station Sadar Ferozepur District Ferozepur entered in FIR No. 54 dated 16.03.2022 under Sections 324, 323, 148 and 149 of the Indian Penal Code (Section 325 IPC added later on), registered at Police Station Sadar Ferozepur District Ferozepur.
2. At the time of issuance of notice of motion on 9.8.2022, the following order was passed :

“The petitioner has approached this Court under Section 438 of the Code of Criminal Procedure for grant of pre-arrest bail in case bearing DDR No. 39 dated 20.06.2022 under Sections 326, 324, 323, 148 and 149 of the Indian Penal Code, registered at Police Station Sadar Ferozepur District Ferozepur entered in FIR No. 54 dated 16.03.2022 under Sections 324, 323, 148 and 149

of the Indian Penal Code (Section 325 IPC added later on), registered at Police Station Sadar Ferozepur District Ferozepur.

Learned counsel appearing for the petitioner inter alia contends that true genesis of the occurrence has been concealed. As a matter of fact, the petitioner has been sought to be implicated in the cross version vide DDR No. 39 dated 20.06.2022. He contends that the complainant-party was the aggressors and had opened attack on the family members of the petitioner and that even the petitioner had sustained grievous injury in the said incident resulting in lodging of an FIR against the complainant. Learned counsel further contends that the petitioner does not suffer from any criminal antecedents and that the petitioner is ready and willing to join investigation. Notice of motion.

Pursuant to the supply of an advance copy, Ms. Amarjit Kaur Khurana, DAG, Punjab, has appeared and accepted notice on behalf of the respondent-State.

List on 23.11.2022 for further consideration.

In the meanwhile, the petitioner is directed to join investigation as and when so required by the Investigating Agency. In the event of petitioner joining investigation, he shall be admitted to interim bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

3. Learned State counsel, upon instructions from ASI Gurnam Singh, 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 is not stated to be involved in any other case.
4. Having heard the learned counsel and bearing in mind the facts and circumstances of the case and also that the petitioner has already joined investigation and is not required for any custodial interrogation, the present petition is accepted and the interim directions issued by this Court vide order dated 9.8.2022 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.

23.11.2022

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No