

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(211)

CRM-M-36642-2022

Date of decision: - 29.09.2022

Lovepreet Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Ms. Isha Goyal, Advocate, for the petitioner.

Mr. Ramdeep Partap Singh, Sr. DAG, Punjab.

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.38 dated 01.03.2022, registered under Sections 324, 326, 427, 148 and 149 IPC (Section 307 IPC has been added later on), at Police Station Lopoke, District Amritsar Rural.

On 22.08.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia contends that in the present case, there is a delay of 6 months in registration of FIR inasmuch as the alleged incident took place on 27.08.2021 whereas FIR has been registered on 01.03.2022. It is further submitted that the petitioner was not armed with any weapon and has been attributed kick blows although, as per the MLR, there is no bruise and there is only one injury suffered by the complainant that has been declared to be grievous injury which has been attributed to Pratap Singh. It is contended that the petitioner is not involved in any other case.

Notice of motion for 29.09.2022.

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

22.08.2022"

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 the investigating officer, 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 22.08.2022 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 22.08.2022 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 29, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No