

211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42201-2021

Date of decision-17.01.2022

Varinder Singh @ Vicky

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rakesh Gupta, Advocate for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr.DAG, Punjab.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.134 dated 01.09.2021 under Sections 323, 324, 341, 506 and 34 Indian Penal Code, 1860 (Section 326 IPC added later on) registered at Police Station Amargarh, District Malerkotla. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 07.10.2021, whereby while issuing notice of motion, the interim protection was extended to the petitioner. The said order reads as under:-

"The case has been taken up for hearing through video conferencing.

Learned counsel for the petitioner contends that the allegation against the petitioner is of dragging the complainant along with his brother Manjinder Singh who gave repeated blows to the complainant with a spade. No injury has been attributed to the petitioner.

Learned counsel for the complainant submits that the petitioner shared common intention with the main accused

*Manjinder Singh.
Notice of motion for 17.01.2022.
In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 14.10.2021 at 11:00 A.M. and in the event of his arrest, he shall be enlarged on interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.
Nothing expressed hereinabove shall be construed to be an opinion on the merits of the case. The case shall be decided on merits on the adjourned date.”*

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Amrik Singh does not dispute this fact that the petitioner has joined the investigation. He further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 07.10.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

17.01.2022

vanita	Whether speaking/reasoned :	Yes	No
	Whether Reportable :	Yes	No