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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.38105 of 2022 (O&M)
Decided on: 13.12.2022

Harjit Singh and another

....Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Vivek Salathia, Advocate
for petitioner No.2.

Mr. Shubham Kaushik, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petition *qua* petitioner No.1 – Harjit Singh, already stands dismissed as withdrawn vide order dated 26.08.2022.

The petitioner No.2 prays for grant of anticipatory bail in criminal case arising out of Rapat No.36 dated 30.05.2022 entered at Police Station Gharinda, Amritsar Rural, under Sections 326, 324, 323, 506, 148 & 149 IPC as a cross version of FIR No.0091 dated 28.05.2022, registered at the above-said Police Station under Sections 326, 324, 323, 341, 148 & 149 IPC.

The operative part of the order dated 26.08.2022, vide which interim anticipatory bail has been granted to petitioner No.2, is reproduced as under:-

“...As regards the relief of pre-arrest bail qua petitioner No.2- Hardeep Singh, learned counsel for the petitioners, inter-alia, contends that the injury attributed to the said petitioner has been declared to be simple in nature and the injury attracting the offence under Section 326 IPC is, rather, attributed to petitioner No.1-Harjit

Singh and moreover, petitioner No.2 is ready to join in the investigation as and when so required and is also not involved in any other criminal case of the similar nature.

Notice of motion qua the present petition to the extent of the prayer of petitioner No.2 only.

Mr. Iqbal Singh Mann, learned Deputy Advocate General, Punjab, who has appeared in this case in pursuance of the copy of the instant petition having been sent to the respondent-State in advance, accepts the notice. He seeks time to get proper and complete instructions in this matter from the quarter concerned and if deemed necessary, then to file the status-report also.

Adjourned to 08.12.2022.

Meanwhile, in the event of his arrest, petitioner No.2- Hardeep Singh shall be released on interim bail subject to his furnishing the requisite personal and surety bonds to the satisfaction of the Arresting/Investigating Officer.

However, petitioner No.2 shall join in the investigation as and when required/called upon to do so and shall also strictly abide by all the conditions as laid down in Section 438(2) Cr.P.C....”

Counsel for petitioner No.2 has submitted that, in pursuance to the order dated 26.08.2022, the petitioner No.2 has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State, on instructions from ASI Anmolakh Singh, has not disputed the aforesaid fact and submits that the petitioner No.2 is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to petitioner No.2 vide order dated 26.08.2022 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

13.12.2022

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Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No