

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-40490-2022
Date of Decision: 14.12.2022

YUSAF MASIH @ SONU

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Aazam Khan, Advocate for
Mr. Ritesh Pandey, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG Punjab.

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VIVEK PURI, J. (ORAL)

On 06.09.2022 following order was passed:

“Petitioner is seeking anticipatory bail in the case bearing FIR No.95 dated 20.11.2021, under Sections 452/325/323/354/34 IPC, registered at Police Station Qadian, District Batala.

Briefly, as per the allegations, on 15.11.2021 at about 07:00 PM, the petitioner along with the co-accused entered the house of the complainant and inflicted injuries on the person of the complainant, her daughter and son. The injury attributed to the petitioner are by means of baseball bat on the person of the complainant and her son.

Learned counsel for the petitioner contends that the occurrence took place on account of minor scuffle of the young daughters of both the parties. There is no allegation with regard to the commission of offence under Section 354 IPC. The injuries attributed to the petitioner are under Section 323 IPC. The injured have been discharged from the hospital. All the offences except the offence under Sections 452/354 IPC are bailable. 03 co-accused, namely, Gurmej Masih, Monu @ Monu Masih and Richal @ Ranchal have been granted regular bail.

Notice of motion.

Ms. Ruchika Sabherwal, DAG, Punjab accepts notice on behalf of the respondent-State.

Adjourned to 17.11.2022.

Meanwhile, it is directed that the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of

Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner contends that the petitioner has joined the investigation in pursuance of the interim directions issued by this Court.

Learned State counsel, on instructions from ASI Surinder Kumar, has not disputed the aforesaid factual aspect and has stated that custodial interrogation of the petitioner is not required.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 06.09.2022 is made absolute.

14.12.2022

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No