

S.No.204

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-46017 of 2021 (O&M)

Date of Decision:13.01.2022

Sukhdev Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Ms. Satwant Mehta, Advocate for the petitioner.
Mr. Sarabjit S. Cheema, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J.

This is first petition filed under Section 438 Cr.P.C seeking grant of anticipatory bail in FIR No.167 dated 30.04.2020 registered under Sections 324, 188, 269, 34 IPC and Section 326 IPC (added later on vide DDR No.028 dated 01.05.2020) at Police Station Goindwal Sahib, District Tarn Taran.

On 02.11.2021, this Court was pleased to pass the following order:-

“Inter alia contends that the present case is a case of version and cross-version and the petitioner has been attributed only one injury on the left forearm and the said injury is injury no.2 in the MLR at page no.26 and said injury has been declared to be a simple injury. It is further submitted that injury no.1, which is also on the left forearm and 3 cm below the injury, is the injury which has attracted the offence under Section 326 IPC and the same is attributed to co-

accused Harsimran Singh. It is further submitted that the petitioner has not been declared proclaimed offender and the petitioner has approached the Court after delay as there was an enquiry which is pending in the matter. It is further submitted that co-accused of the petitioner, Harpreet Singh, has already been granted interim protection.

Notice of motion.

On advance notice, Mr.N.K.Banka, DAG, Punjab, appears and accepts notice on behalf of the respondent-State.

Adjourned to 13.01.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to 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.

To be listed along with CRM-M-44317-2021.”

Learned counsel for the petitioner and the State Counsel on instructions from ASI Lakhwinder Singh, submit that the petitioner has joined the investigation and is not further required for investigation.

Keeping in view the facts as noticed in the order dated 02.11.2021 and also the fact that the petitioner has joined the investigation and is not further required for investigation, the present petition is allowed and the interim order dated 02.11.2021 is 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 petition.

January 13, 2022	(VIKAS BAHL)
renu	JUDGE
Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No