

S.No.206

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

CRM-M-46012-2021 (O&M)

Date of Decision:11.01.2022

Mohan Lal

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Saurav Bhatia, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J.

This is second petition filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No.141 dated 02.06.2021 registered under Sections 324, 506, 34 IPC (Section 326 IPC added later on) at Police Station City Nawanshahar, District SBS Nagar.

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

“Learned counsel for the petitioner inter alia contends that the petitioner is a 65 year old person and the present case is a case of version and cross-version and even the son of the petitioner has received three injuries (in fact, there are four injuries as there are two injuries on skull which constitutes injury No.1) and the said injuries have not been explained in the FIR and the petitioner is not involved in any other case and only one injury has been attributed to the petitioner, although the same is stated to be grievous. He has also relied upon

judgment of this Court in Dalbir Singh Vs. State of Punjab, reported as 2011(5) RCR (Criminal) 703 and the judgment titled as Surinder Singh @ Shinda Vs. State of Punjab, reported as 2018(1) Law Herald 57, in support of his contentions.

Notice of motion.

On asking of the Court, Mr. N.K. Banka, DAG, Punjab, appears and accepts notice on behalf of State of Punjab and seeks time to get instructions.

Adjourned to 11.01.2022.

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. ”

Learned counsel for the petitioner and the State Counsel on instructions from ASI Satnam Singh, submit that the petitioner has joined the investigation on 19.11.2021 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.

January 11, 2022
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(VIKAS BAHL)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No