

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-42586-2022
Date of decision : 28.09.2022

Satnam Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Vinod Bhardwaj, Advocate and
Mr.Nipun Bhardwaj, Advocate
for the petitioner.

Mr.Ramdeep Partap Singh, Sr.DAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.8 dated 02.02.2022 registered under Sections 307, 452, 323, 325, 341, 506, 148, 149 IPC at Police Station Banur, District S.A.S. Nagar Mohali.

On 16.09.2022, this Court was pleased to pass the following order:-

“Inter alia contends that the petitioner has not been named in the FIR and has been named in the supplementary statement by the complainant which was recorded on 03.02.2022 in which also no specific injury has been attributed to the present petitioner. It is submitted that without admitting his liability, the petitioner is ready to pay an amount of Rs.30,000/- to the complainant Ajodh Singh and Rs.10,000/- to the injured Gurinder Singh.

Notice of motion for 28.09.2022.

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

The petitioner is directed to prepare two demand drafts, one for an amount of Rs.30,000/- in the name of the complainant Ajodh Singh and and other demand draft for an amount of Rs.10,000/- in the name of injured Gurinder Singh and hand over the same to the Investigating Officer within a period of 10 days from today and the Investigating Officer is directed to hand over the same to the complainant Ajodh Singh and injured Gurinder Singh after taking receipt from them.

It is made clear that in case the demand drafts of the said amount are not handed over to the Investigating Officer within a period 10 days from today, then the interim order granted is liable to be vacated. The payment of Rs.40,000/- to the complainant Ajodh Singh and injured Gurinder Singh would be not construed as an admission of guilt by the petitioner.

(VIKAS BAHL)
JUDGE

September 16, 2022.”

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has joined the investigation and has handed over two demand drafts, one for an amount of Rs.30,000/- in the name of the complainant and other demand draft for an amount of Rs.10,000/- in the name of injured Gurinder Singh, to the Investigating Officer.

Learned State counsel, on instructions from ASI Jaswinder Pal, has submitted that the petitioner has joined investigation and is not required for further investigation and has admitted the fact that the petitioner has given the said two demand drafts in the name of the complainant and the injured to the Investigating Officer, who had further given the same to the complainant and injured.

Keeping in view the above said facts and circumstances

moreso, the facts which have been noticed in the order dated 16.09.2022, and also the fact that the petitioner has joined the investigation and is not required for further investigation and the fact that the petitioner has given two demand drafts in the name of the complainant and the injured to the Investigating Officer, the present petition is allowed and the interim order dated 16.09.2022 is made absolute.

Nothing stated above shall be construed as an 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.

(VIKAS BAHL)
JUDGE

September 28, 2022
Davinder Kumar

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