

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-44171-2022

Date of decision : 27.10.2022

Yogesh Kumar

... Petitioner

Versus

The State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Navraj Singh, 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.22 dated 01.04.2022 registered under Sections 452, 323, 325, 506, 148, 149 IPC at Police Station Balachaur, District SBS Nagar, Punjab.

On 23.09.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia contends that the present case is a case of version and cross version and it is the complainant party who had beaten up the sister and mother of the petitioner and there were four persons who were injured from the side of the petitioner. It is further submitted that only one injury has been attributed to the present petitioner with a baseball bat on the right wrist which is a non vital part of the body. It is contended that although, the said injury is grievous in nature and attracts the offence under Section 325 of IPC but the petitioner had been granted the concession of interim bail by the Sessions Judge which petition was ultimately dismissed on the ground that the petitioner had not cooperated with the investigation and had not got the

recovery of weapon effected. It is further contended that the petitioner is ready to cooperate with the investigation.

Notice of motion for 27.10.2022.

In the meantime, in the event of arrest, the petitioner shall 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.

23.09.2022 (VIKAS BAHL)
JUDGE "

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has joined the investigation.

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

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 23.09.2022, and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and the interim order dated 23.09.2022 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

October 27, 2022

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No