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

CRM-M-46689-2022

Date of decision : 23.11.2022

Amritpal @ Goga

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Seema Arora, Advocate for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.192 dated 15.09.2022 registered under Sections 353, 186, 332, 149 of the Indian Penal Code, 1860 at Police Station City-2, Mansa, District Mansa, Punjab.

On 12.10.2022, this Court had passed the following order:-

“Inter alia contends that the petitioner is not municipal councillor and rather his wife Rekha is the municipal councillor from the backward class from Ward no.7, Mansa and on the alleged date of occurrence, fight had taken place in front of Mata Sundri College and the petitioner, being a responsible citizen, had gone there and attempted to pacify and resolve the dispute and in the said incident, the complainant, who was trying to disperse the

crowd, on account of rain had fallen down and had suffered minor simple injuries. It is further submitted that the petitioner has been implicated only on account of the fact that the petitioner belongs to the opposition party in the State of Punjab. It is further submitted that it is highly unlikely that in the presence of 6 police men armed with weapons, the petitioner had managed to run away from the spot. It is also submitted that nothing is to be recovered from the present petitioner and thus, custodial interrogation of the petitioner is not required. It is submitted that the petitioner is not involved in any other case.

Notice of motion for 10.11.2022.

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.”

Thereafter, on 10.11.2022, the following order was passed:-

“Learned State counsel has submitted that although the petitioner has joined the investigation but he is required for further investigation.

The petitioner is directed to join investigation again on 16.11.2022 at 11:00 AM.

Adjourned to 23.11.2022.

Interim order to continue.”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid orders, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Jasbir

Singh, has submitted that the petitioner has joined the investigation and is not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 12.10.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 12.10.2022 is ordered to be made absolute.

However, 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 application.

23.11.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No