

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 51304 of 2021
Date of Decision: 31.1.2022**

Sorav Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Bhawesh Chaudhary, Advocate for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

(Through video conferencing)

1. In FIR bearing No. 43 of 23.5.2021, offences constituted under Sections 323, 324, 326, 427, 148, 149 IPC, and the offence under Section 326 IPC (added later on), are embodied. The FIR (supra) is lodged at Police Station Lambra, District Jalandhar.
2. This Court, through an order made on 09.12.2021, had granted ad interim bail to the bail applicant-petitioner
3. The learned State counsel, on instructions meted to him by ASI Karnail Singh, submits, that the bail applicant-petitioner is no longer required for further investigations, to be made into the FIR (supra), as the only incriminatory role attributed to him, in the offences (supra), embodied in the FIR (supra), is that of his, in collusion with other co-accused, inflicting kick and fist blows, upon the person of the victim. Consequently, there is no recovery, to be made, at the instance of the bail applicant-petitioner, to the investigating officer concerned.

4. Moreover, it is also stated by the learned State counsel, on instructions meted to him by ASI Karnail Singh, that the victim-injured has fully recuperated from the above injuries, suffered by him, on his person, in pursuance to the kick and fist blows, becoming delivered upon him, by the bail applicant-petitioner, along with other co-accused.

5. In view of the above, and, also when the learned State counsel states, that the bail applicant-petitioner has rendered the fullest cooperation to the investigating officer concerned, in the investigations, conducted into the FIR (supra). Therefore, this Court does not deem it fit, and, appropriate to order for the custodial interrogation of the bail applicant-petitioner.

6. Accordingly, the order dated 09.12.2021, is made absolute. However, the making of absolute of the afore order, shall be subject to the abiding by the bail applicant, of the conditions laid down in Section 438 (2) of the Code of Criminal Procedure. The Investigating Officer concerned, is directed to forthwith ensure the furnishing before him, by the bail applicant, of personal and surety bonds, in a sum of Rs. 50,000/- each. Moreover, in case, any further cooperation of the bail-applicant is required by the investigating officer concerned, in the latter conducting further investigation(s), thereupon the investigating officer concerned, through a written *Hukamnama* being issued upon the bail-applicant, shall solicit his presence before him.

7. The present petition stands disposed of.

(SURESHWAR THAKUR)
JUDGE

January 31, 2022
Gurpreet

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