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

**206** **CRM-M-52266 of 2021**
**Date of decision:23.03.2022**

Harjit Singh ... Petitioner

Vs.

State of Punjab ... Respondent

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Mr. Karambir Singh Kahlon, Advocate
for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

**SUVIR SEHGAL, J. (Oral)**

Heard through video conferencing

While granting interim protection to the petitioner, this Court passed the following order on 15.12.2021:-

*"Heard through video conferencing.*

*Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.53 dated 20.11.2021, registered for offences under Sections 452, 324, 326, 354-B, 323, 148 and 149 of the Indian Penal Code, 1860, at Police Station Kotli Surat Malhi, Police District Batala, District Gurdaspur (Annexure P-1).*

*Counsel for the petitioner submits that the petitioner and*

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*the complainant are related to each other and dispute between them is with regard to cultivation of unpartitioned and jointly held agricultural land. He submits that a scuffle took place between the parties and the complainant side were the aggressors, though the cross-version by the accused is yet to be lodged. He submits that the attribution qua the petitioner is a stick blow on the back of the complainant and the injury inflicted has been declared to be simple. He submits that the shirt of the complainant-lady got torn in the fight, but there was no intention to disrobe her and Section 354-B, IPC, is not attracted.*

*Notice of motion.*

*On asking of the Court, Mr. Harmandeep Singh Sullar, DAG, Punjab accepts notice on behalf of the respondent-State.*

*List on 23.03.2022.*

*Meanwhile, the petitioner shall join the investigation and would appear as and when called for by the Investigating Officer. In the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C."*

State counsel, upon instructions from ASI Dilbagh Singh

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submits that the petitioner has joined investigation and is no longer required for custodial interrogation.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed and the order dated 15.12.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

**(SUVIR SEHGAL)**
**JUDGE**

**March 23, 2022**
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|---|---|
| *Whether Speaking/Reasoned* | *Yes* |
| *Whether Reportable* | *Yes/No* |

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