

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-52280-2021

Date of decision : 21.01.2022

Rajnesh Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.P.K.S.Phoolka, Advocate
for the petitioner.

Mr.Sukhbeer Singh, AAG, Punjab.

(Through Video Conferencing)

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.232 dated 15.10.2021 registered under Sections 452, 324, 323, 506, 34 IPC (Section 326 IPC added vide DDR no.40 dated 23.11.2021) at Police Station Canal Colony, Bathinda, District Bathinda.

On 15.12.2021, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia contends that the petitioner was not named in the FIR and had been implicated in the case on the basis of disclosure statement of co-accused Mohit Kumar who was alleged to have given grievous injuries to the

complainant and also on the basis of supplementary statement and even as per the same, the petitioner had been attributed a simple injury inflicted with a blunt weapon.

Notice of motion.

On asking of the Court, Mr. Sukhbeer Singh, AAG, Punjab, appears and accepts notice on behalf of State of Punjab and seeks time to get instructions.

Adjourned to 20.01.2022.

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.”

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 SI Daljeet Singh, has submitted that the petitioner has joined the 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 15.12.2021 and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition for anticipatory bail is allowed and the interim order dated 15.12.2021 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

January 21, 2022
Davinder Kumar

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