

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210

CRM-M-52814-2022
Decided on : 12.12.2022

Rahul @ Rahul Sharma

. . . Petitioner

Versus

State of Punjab

. . . Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. G. S. Bajwa, Advocate
for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

VIKAS BAHL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 261 dated 10.10.2022 under Sections 323, 253, 186, 307, 148, 149 and 506 IPC registered at Police Station City Hoshiarpur, Tehsil and District Hoshiarpur.

On 16.11.2022, this Court was pleased to pass the following order:

“Inter alia, contends that as per the FIR, the primary allegation was against the accused Manpreet, who was stated to have grabbed the collar of the complainant Palwinder Singh ASI. It is further contended that no specific allegation has been made in the FIR against the present petitioner and that the alleged injuries suffered by the said complainant are simple in nature. It is also contended that in fact, it was the police officials who had damaged the car of the present petitioner, however, in order to show his bona fide, the

petitioner is ready to give an amount of Rs.20,000/- to the complainant without admitting his liability.

Notice of motion for 12.12.2022.

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.

The petitioner is directed to prepare demand draft of Rs.20,000/- in the name of complainant and is also directed to give the same to the Investigating Officer within a period of 10 days from today, who shall further handover the same to the complainant after getting receipt from her.

It is made clear that in case, the demand draft of Rs.20,000/- is not given to the Investigating Officer prepared in the name of the complainant within a period of 10 days from today, then the present interim relief granted in favour of the petitioner would be liable to be vacated.

The payment of the amount of Rs.20,000/- would not be construed as an admission of guilt by the petitioner”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 16.11.2022, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Kaushal Chander, has submitted that the petitioner has joined the investigation and has also deposited the demand draft amounting to Rs.20,000/- to the Investigating Officer 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 16.11.2022 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 16.11.2022 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.

(VIKAS BAHL)
JUDGE

12.12.2022
Mehak

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