

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-55871-2022

Date of decision: 21.12.2022

Sandeep Sharma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr. Monty Goyal, Advocate for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

VIKAS BAHL, J. (ORAL)

Prayer in this petition under Section 438 Cr.PC is for grant of anticipatory bail to the petitioner in case bearing FIR No.258 dated 08.11.2022 registered under Sections 341, 323, 506, 148, 149 IPC (Section 379 IPC added later on) at PS Haibowal, District Ludhiana.

On 02.12.2022, this Court was pleased to pass the following order:-

“Inter alia contends that in the present case, the injuries, which have been attributed to the present petitioner, are blunt and are simple in nature. It is submitted that the petitioner has even suffered injuries in the incident, although no cross version has been recorded by the police in spite of the statement having been given by the petitioner in the said regard. It is further submitted that the petitioner is ready to pay Rs.50,000/- as medical expenses to the complainant Yogesh Shapra without admitting his liability.

Notice of motion for 21.12.2022.

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.

The petitioner is directed to prepare a demand draft of an amount of Rs.50,000/- in the name of the complainant and hand over the same to the Investigating Officer within a period of two weeks from today and the Investigating Officer is directed to hand over the same to the complainant after taking receipt from the complainant.

It is made clear that in case the demand draft of the said amount is not handed over to the Investigating Officer within a period two weeks from today, then the interim order granted is liable to be vacated. The payment of Rs.50,000/- to the complainant would be not construed as an admission of guilt by the petitioner.

02.12.2022

(VIKAS BAHL)
JUDGE”

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has handed over a demand draft of Rs.50,000/- in the name of the complainant to the Investigating Officer and has joined the investigation.

Learned State counsel, on instructions from ASI Om Parkash, has submitted that the petitioner has handed over the demand draft of Rs.50,000/- to the Investigating Officer and the Investigating Officer has further handed over the same to the complainant. He has further 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 02.12.2022, and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and the interim order dated 02.12.2022 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.

21.12.2022

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(VIKAS BAHL)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No