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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53520-2019 (O&M)
Date of Decision: 13.01.2022

Kulwinder Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Jasdeep Singh Gill, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab

Mr. Tushar Madaan, Advocate for
Mr. Mansur Ali, Advocate
for the complainant.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.112 dated 14.07.2019 under Sections 307, 506, 341, 148 and 149 IPC and Sections 25 and 27 Arms Act, 1959, registered at Police Station Sadar Patti, District Tarn Taran, Punjab. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 13.12.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the petitioner is attributed only slaps and the injury inviting the offence punishable under Section 307 IPC is attributed to co-accused Parminderbir Singh. He submits that the petitioner is ready to join the investigation as his

*custodial interrogation in the given facts may not be necessary at this stage.
Notice of motion for 01.05.2020.
Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”*

Learned counsel for the petitioner further states that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by HC Hazara Singh does not dispute this fact that the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 13.12.2019 is made absolute.

13.01.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No