

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

205-2

CRM-M No.2898 of 2023

Date of Decision : 13.09.2023

Mohd. Naufil @ Popli

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Mohit Kumar, Advocate for the petitioner.

Mr. M.S. Tiwana, AAG Punjab.

ALKA SARIN, J. (Oral)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.180 dated 08.12.2022 under Sections 307, 354, 341, 323, 506, 148 and 149 of the Indian Penal Code, 1860 registered at Police Station City-2, Malerkotla District Malerkotla.

2. On 19.01.2023 the following order was passed :

“The instant petition has been filed for grant of anticipatory bail to the petitioner in FIR No.180 dated 08.12.2022 under Sections 307, 354, 341, 323, 506, 148 and 149 of IPC, registered at Police Station City-2 Malerkotla, District Malerkotla.

Learned counsel for the petitioner contends that the role attributed to the petitioner is that he had hit the complainant with an iron rod on the back of left thigh,

which is recorded as injury No.3 in the MLR. He further submits that as per MLR, it has come that there was no external visible injury, although the complainant had complained of pain in left thigh. He further submits that the co-accused Abdulla@ Dulla has also been granted the concession of anticipatory bail.

Notice of motion.

On the asking of the Court, Mr. Arun Gupta, AAG, Punjab, assisted by ASI Sohan Lal, accepts notice on behalf of the respondent-State and prays for some time to complete his instructions.

To come up on 23.03.2023, for further consideration.

In the meanwhile, the petitioner shall join investigation on 21.01.2023 at 11:00A.M. before the Investigating Officer and cooperate with the Investigating Agency even thereafter.

In the event of arrest, the petitioner be released on interim bailsubject to furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer and the petitioner shall abide by the conditionsas envisaged under Section 438 (2) Cr.P.C.”

3. Learned counsel for the petitioner states that the petitioner has since joined the investigation and fully cooperated.

4. Learned counsel for the State on instructions from ASI Gulzar Singh has stated that the petitioner has since joined investigation and fully

cooperated and that he is no longer required for further custodial interrogation as of now.

5. In view of the above, the order dated 19.01.2023 is made absolute. The petitioner shall, however, join investigation as and when called. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

6. Disposed off accordingly. Pending applications, if any, also stand disposed off.

13.09.2023

jk

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO