

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

204

CRM-M-5054-2023

Date of decision: 10.05.2023

Arun Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Swati Verma, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, Sr. DAG, Punjab.

Mr. Yogesh Goel, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.542 dated 30.12.2022 under Sections 323, 324, 506, 148, 149, 120-B and 326 of the IPC registered at Police Station Division No.7, District Ludhiana.

Vide order dated 01.02.2023 the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the FIR in question only because he was a friend of main accused Sachin. She submits that neither was the petitioner present at the time of alleged occurrence nor any injury attributed to him, and the only role attributed to him is that the gandasi with which co-accused inflicted injury on the complainant was given by the petitioner to him. She further submits that the petitioner is willing and ready to join investigation and cooperate with the investigating agency.”

Learned counsel for the petitioner submits that in compliance of order dated 01.02.2023, the petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel assisted by learned counsel for the complainant, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. Learned State counsel, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

In view of the above, the petition is allowed and interim order dated 01.02.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

10.05.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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