

CRM-M-5384-2023 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(207)

CRM-M-5384-2023 (O&M)

Date of Decision:-19.10.2023

Mejar Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Ritesh Pandey, Advocate, for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 438 Cr.P.C. is for the grant of anticipatory bail to the petitioner in FIR No.70 dated 04.09.2021 under Sections 323, 324, 341, 148 and 149 IPC (Section 326 IPC added later on) registered at Police station Bhaini Mian Khan, District Gurdaspur.

The reply dated 18.10.2023 filed on behalf of the respondent-State is taken on record.

On 02.02.2023, the following order was passed in this case:-

“Notice of motion.

On the asking of this Court, Mr. J.P. Ratra, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State. He seeks time to have instructions.

Adjourned to 14.03.2023.”

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Thereafter, the matter was adjourned from time to time and on 24.08.2023, the following order was passed:-

“The Counsel for the Petitioner contends that the injury attributed to the petitioner is with a datar on the little finger of the left hand. It is his contention that the said injury could be self suffered. Even otherwise, the FIR has been registered after 15 days of the occurrence which took place on 20.08.2021.

List on 19.10.2023.

In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer to join investigation and in the event of his arrest, he shall be released on bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438(2) Cr.P.C.:-

(i) that the petitioner shall make himself available for interrogation before the investigating officer as and when required;

(ii) that the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him/her from disclosing such facts to the Court or to any police officer;

(iii) that the petitioner shall not leave the country without prior permission of the Court and shall surrender his passport, if any.

The Counsel for the State is directed to file reply to the petition”.

Despite the arrest of the petitioner being stayed and he being directed to join the investigation, he has not done so till date.

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In view of the above, the present petition stands dismissed.

The interim order dated 24.08.2023 is hereby vacated.

(JASJIT SINGH BEDI)
JUDGE

October 19, 2023
sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No