

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**102-1****CRM-M No.6261 of 2023 (O&M)
Date of Decision : 12.12.2023**

Sarabjit Singh alias Kala

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Prince Sharma Advocate for the petitioner.

Mr. M.S. Tiwana, AAG Punjab.

ALKA SARIN, J. (Oral)**CRM-33886-2023**

1. This is an application for addition of Section 201 of the Indian Penal Code, 1860 in the headnote as well as in the prayer clause of the main petition.

2. For the reasons stated in the application, the same is allowed. Registry to make necessary addition/correction in the headnote as well as in the prayer clause of the main petition. CRM stands disposed off.

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3. 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.111 dated 31.05.2022 under Sections 379, 341, 354, 323, 506, 148, 149, 326 and 201 of the Indian Penal Code, 1860 registered at Police Station Sadar Tarn Taran, District Tarn Taran.

4. On 06.02.2023 the following order was passed :

“The present petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in FIR No.111 dated 31.05.2022 under Sections 379, 341, 354, 323, 506, 148 and 149 IPC, registered at Police Station Sadar Tarn Taran, Tehsil and District Tarn Taran, Punjab.

Learned counsel for the petitioner argued that it is a case of version and cross-version. The complainant has levelled false allegations to put pressure on the petitioner. Even otherwise it is pointed out that she is in a habit of levelling such like allegations. In para No.8 of the bail application, the petitioner has referred as many as 07 FIRs got registered from time to time against different persons and some of the FIRs are of similar nature. Three of the FIRs are placed on record as Annexure P-5 to P-7. The dispute regarding plot is already going on. As per the facts Sarabjeet Singh @ Kala allegedly armed with Takua and he has attributed takua blow towards left arm of the complainant and hit the middle finger of right hand of Jagjeet Singh @ Raju.

Learned State Counsel argued that the weapon used in the occurrence is to be recovered.

Learned counsel for the petitioner submits that the petitioner is ready to join the investigation.

Considering the facts of the case, the arrest of the petitioner is stayed till the next date of hearing, subject to the joining of investigation.

Adjourned to 12.04.2023.

Reply/status report be filed by the State before the adjourned date.”

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

6. Learned counsel for the State on instructions from ASI Bahal 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.

7. In view of the above, the order dated 06.02.2023 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.

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

(ALKA SARIN)
JUDGE

12.12.2023
jk

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