

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

209

CRM-M-6563-2023

Date of decision: 04.09.2023

Nanak Singh

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. P.K.S. Phoolka, Advocate for the petitioner.
Mr. Manipal Singh Atwal, DAG, Punjab.

AMAN CHAUDHARY, J

1. On 08.02.2023, this Court had passed the following order:-

“Prayer is for grant of anticipatory bail in case having FIR No.4 dated 6.1.2023 registered under Sections 458, 324, 323, 148, 149 IPC at Police Station Sadar District Bathinda.

Counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the present case and even otherwise only simple injury caused with blunt weapon has been attributed to the petitioner and the petitioner, who is having no criminal history is ready to join investigation with the police.

Notice of motion.

On the asking of the Court, Mr. Chaman Lal Pawar, Addl. A.G. accepts notice on behalf of State of Punjab and on instructions from ASI Malkeet Singh submits that the petitioner and other co-accused constituted unlawful assembly and trespassed into the house of the complainant after breaking open its gate and then caused injuries to complainant and other members of his family with different weapons and at that time, the petitioner was armed with iron rod. However, the State counsel has not refuted the fact that none of the said injuries has been declared grievous in nature till date.

In view of the fact, the present petitioner caused in simple injury, in case of arrest, the petitioner is directed to be released on interim bail by the

Investigating Officer/Arresting Officer subject to his own satisfaction. The petitioner should join investigation with the police well in time before the next date of hearing and to abide by the conditions envisaged under Section 438 (2) Cr.P.C.

The report of the Investigating Officer be also called in this context on the next date of hearing.

Now be listed on 17.8.2023. ”

2. Learned counsel submits that in pursuance of the aforementioned order, the petitioner has not only joined investigation but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.
3. Learned State counsel on instructions from ASI Jasvir Singh affirms the factum of joining the investigation by the petitioner and cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.
4. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 08.02.2023 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C
5. However, it is made clear that if the petitioner fails to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to him.

04.09.2023
Ankur

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No