

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.201

CRM-M-6859-2023

Date of decision : 08.05.2023

Naib Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Ms.Manpreet Kaur, Advocate, for
Mr.G.S.Nahel, Advocate, for the petitioner.

Mr.A.P.S.Tung, DAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

(1) Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.127 dated 19.10.2022 registered under Sections 341, 323, 34, 506 IPC (Sections 325 and 308 IPC added later on) at Police Station Dirba, District Sangrur.

(2) On 09.02.2023 this Court had passed the following order: -

“Learned counsel for the petitioner inter-alia contends that the petitioner is a 72 year old man; the petitioner has no other criminal antecedents; even if the case of the prosecution is taken as the gospel truth, though vehemently denied, the petitioner and his co-accused did not have any intention to cause any injury on the complainant as it is the prosecution's case that a fight took place between the parties at the spur of the moment; co-accused Lal Singh is attributed the blow attracting applicability of Section 308 IPC; the petitioner is attributed only a simple injury that too on the non-vital part of the complainant's body and that the petitioner is ready and willing to join and cooperate with the investigation. Notice of motion.

Mr. Arun Luthra, DAG, Punjab, accepts notice on behalf of the respondent-State and Mr. M.K. Singla, Advocate, puts in appearance on behalf of the complainant.

Adjourned to 08.05.2023.

In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438 (2) Cr.P.C, in the event of his arrest in FIR No.127 dated 19.10.2022 registered under Sections 308, 341, 323, 325, 34 and 506 IPC at Police Station Dirba, District Sangrur, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

(3) Learned State counsel submits that in pursuance to the afore quoted order the petitioner has joined and cooperated with the investigation and that the State no longer requires the petitioner for investigation purposes.

(4) In the light of the submissions made on behalf of the petitioner as have been recorded in the afore quoted order as also the statement made on behalf of the State, subject to the petitioner’s abiding by the conditions prescribed under Section 438(2) Cr.P.C the order of this Court dated 09.02.2023, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

08.05.2023
shamsher

[DEEPAK SIBAL]
JUDGE

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