

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-7711-2023

Date of Decision: 11.05.2023

VISHAL ALIAS HARJINDER SINGH PETITIONER
VS

STATE OF PUNJAB RESPONDENT

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Aminder Singh, Advocate for the petitioner.

Ms. Himani Arora, AAG, Punjab.

GURBIR SINGH, J. (ORAL)

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The prayer in the present petition filed under Section 438 Cr.P.C is for grant of anticipatory bail to the petitioner in case FIR No.60, dated 08.05.2022 under Sections 458, 341, 323, 506,148,149 IPC registered at Police Station Dirba, District Sangrur.

Status report by way of an affidavit of Prithvi Singh, PPS, Deputy Superintendent of Police, Sub Division Dirba, District Sangrur has been filed and the same is taken on record. A copy thereof has been supplied to the counsel opposite.

Vide order dated 14.02.2023, the following order was passed by this Court:-

“Learned counsel for the petitioner submits that it is a case of no injury. Only allegation against the petitioner is that he gave fist blows to brother-in-law of the complainant. The co-accused, namely, Manpreet Singh @ Preet Singh and Satnam Singh @ Mani,, who have similarly situated, have been granted the concession of ad interim anticipatory bail by the Coordinate Bench of this Court vide

order dated 25.08.2022. Learned counsel for the petitioner further submits that as per the allegations, he was armed with baseball bat but he did not use the same. When a person is armed with a weapon, then he will definitely use the same and would not give fist blows. The entire case of prosecution is exaggerated.

Notice of motion.

At the asking of the Court, Ms. Himani Arora, AAG, Punjab, appears and accepts notice on behalf of the respondent-State. A copy of the paper book be supplied to her during the course of the day. She seeks some time to file status report in the matter.

List on 11.05.2023.

Meanwhile, in the eventuality of arrest of the petitioner in the instant case, he shall be enlarged on interim bail subject to his furnishing personal bond/surety bond to the satisfaction of Investigating Officer/Arresting Officer. The petitioner shall join the investigation as and when called upon to do so by the Investigating Agency. The petitioner shall abide by the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.”

Learned State counsel, on instructions from ASI Raghubir Singh (268) Sangrur submits that in compliance of the order dated 14.02.2023, the petitioner has already joined the investigation and he is not required for any custodial interrogation.

In view of above, the order dated 14.02.2023 granting interim bail to the petitioner, is made absolute. The petitioner shall abide by the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.

Petition is disposed of accordingly.

11.05.2023
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(GURBIR SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No