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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

(203)

CRM No. M-12040 of 2023  
Date of Decision : 10.07.2023

Mahenga Singh @ Mehnga Singh

....Petitioner

Versus

State of Punjab

.....Respondent

***CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI***

Present:- None for the petitioner.

Mr. Jaswinder Singh Arora, Deputy Advocate General, Punjab.

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**Harsimran Singh Sethi, J. (Oral)**

The petitioner is seeking anticipatory bail in respect of FIR No. 42 dated 23.02.2022, under Sections 452, 323, 34 IPC (Section 325 IPC added later on), registered at Police Station Bhawanigarh, District Sangrur.

On 10.03.2023, following order was passed by the Co-ordinate Bench of this Court :-

*“This petition has been filed by the petitioner under Section 438 Cr.P.C. seeking anticipatory bail in case FIR No.42 dated 23.02.2022 under Sections 452, 323, 34 IPC (Section 325 IPC added later on), registered at Police Station Bhawanigarh, District Sangrur.*

*As per allegations, complainant Satvir Singh is studying in 10+2 Class. On 08.02.2022 at about 7.15 p.m., complainant Satvir Singh along with his parents Major Singh and Sonia Kaur were taking meals in their house. In the meantime, petitioner-Mehnga Singh armed with rod, Ajaib Singh armed with stick, Gurwinder Singh empty handed and Rani Kaur wife of Ajaib Singh empty handed trespassed the house of*

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*complainant by opening the main gate. At the first instance, Rani Kaur exhorted that Major Singh and his family members be taught lesson so that they may not defame them in future in the matter of any theft. Thereafter, petitioner Mehnga Singh gave blow with rod to complainant Satbir Singh, which struck on the right side of head of complainant. Complainant Satvir Singh fell down. Then Ajaib Singh gave blow with stick on the leg of complainant Satbir Singh. Gurwinder Singh gave kick blow, little below the left eye of complainant. Then Rani Kaur gave kick blows to complainant. Complainant and his family members raised alarm. Thereafter, accused persons had fled away from the spot.*

*Learned counsel for the petitioner inter alia contends that petitioner is innocent and has been falsely implicated in the present case. He further submits that all the offences except under Section 452 IPC are bailable. He further submits that petitioner is not involved in any other case and he is ready and willing to join the investigation.*

*Notice of motion.*

*Mr. Adhiraj Singh, AAG, Punjab, accepts notice on behalf of the respondent-State. Adjourned to 10.7.2023. In the meantime, petitioner shall join investigation before the Investigating Agency/Officer. In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. He shall abide by the following conditions as envisaged under Section 438(2) Cr.P.C:-*

- 1) That the petitioner shall make himself available for interrogation by a police officer as and when required to do so.*
- 2) That the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.*
- 3) That the petitioner shall not leave India without prior permission of the court.*

*Reply, if any, be filed in the meanwhile.”*

Learned State counsel, on instructions from ASI Surjit Singh states that in terms of the order of co-ordinate bench of this Court reproduced before, petitioner has joined the investigation and he is not required any further as of now.

In view of the above statement of the State counsel, the order dated 10.03.2023 granting interim bail to the petitioner is made absolute.

However, petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

**July 10, 2023**  
*kanchan*

**( HARSIMRAN SINGH SETHI )**  
**JUDGE**

*Whether reasoned/speaking?*      *Yes*

*Whether reportable?*                      *No*