

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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CRM-M-12022-2023 (O&M)
Date of order: 24.07.2023

Sunil Kumar @ Sunny

.....Petitioner(s)

Vs.

State of Punjab

.....Respondent(s)

CORAM: HON’BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Rimple Saini, Advocate
for the petitioner.

Mr. Jashanpreet Singh, DAG Punjab.

Nidhi Gupta, J.

Prayer in the present petition is for grant of anticipatory bail to the petitioner in a case FIR No.258 dated 26.12.2022 registered under Sections 295, 379, 506, 354, 323 and 149 IPC at Police Station City Gurdaspur, District Gurdaspur.

2. On 11.04.2023, this Court had passed the following order:-

“This is a petition under Section 438 Cr.P.C. seeking grant of anticipatory bail in case FIR No.258 dated 26.12.2022, registered under Sections 295, 379, 506, 354, 323 and 149 IPC at Police Station City Gurdaspur, District Gurdaspur.

Learned counsel for the petitioner contends that the petitioner is a student of mechanical engineering in a college at Gurdaspur. As per allegations levelled in the FIR, the offences under Section 354 IPC are not made out against him. The only allegation against him is that he gave a slap to the complainant and removed his turban. At the most, provisions of Section 323 IPC can be attracted against him, if the allegation is found to be true, which is a bailable offence.

Learned State counsel, upon instructions from ASI Banarsi Das, does not dispute the fact that only allegation against the petitioner is of giving slap to the complainant and removing his turban.

Notice of motion for 24.07.2023.

In the meanwhile, the petitioner shall join the investigation as and when called upon to do so by the Investigating Officer, and in the event of arrest, he shall be released on interim bail to the satisfaction of Arresting Officer. The petitioner shall also abide by the conditions of Section 438 (2) Cr.P.C.”

3. Learned State counsel, on states that in terms of the order passed by co-ordinate Bench of this Court, reproduced above, the petitioner has joined the investigation and no further interrogation is required at this stage.

4. In view of the above, the order dated 11.04.2023 granting interim bail to the petitioner is made **absolute**.

5. However, the petitioner shall abide by following conditions:-

- i) He shall join the investigation as and when required by the Investigating Officer.
- ii) He shall not offer any threat, promise or inducement to any person acquainted with the facts of the case so as to dissuade him from disclosing the same to the Investigating Officer/Court; and
- iii) He shall not leave the limits of this country without prior permission of the Court.

6. In case at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

24.07.2023

Sunena

(Nidhi Gupta)

Judge

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