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

**CRM-M-15826-2023 (O&M)
Date of decision : 11.07.2023**

Inderpal Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.

ASI Sohan Singh.

MAHABIR SINGH SINDHU, J.

Petition under Section 438 of the Code of Criminal Procedure has been filed for grant of pre-arrest bail to the petitioner in FIR No.27 dated 13.03.2023, under Sections 323, 452, 34 (Section 326 added subsequently) of the Indian Penal Code, 1860 (for short, '*the IPC*') registered at Police Station Chamkaur Sahib, District Rupnagar.

2. Allegations against the petitioner are that on 10.03.2023, he along with other co-accused trespassed into the house of complainant Sunita Rani; and inflicted injuries with *daat*, stick & rod on Amritpal Singh, Kamalpreet Kaur and Manjit Kaur.

3. This Court, on 28.03.2023 granted interim bail to petitioner and relevant part of the same is recapitulated as under:-

“The prayer in the present petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case bearing FIR No.27, dated 13.03.2023, under Sections 323, 452, 34 IPC (Section 326 IPC added later on),

registered at Police Station Chamkaur Sahib, District Rupnagar.

Learned counsel for the petitioner submits that no specific injury is attributed to the petitioner. The provisions of Section 326 IPC are not attracted at all. If there was any injury on right nasal bone, then it is not supposed to be caused with any sharp edged weapon since there was abrasion only. Even, petitioner himself received four injuries. Copy of MLR is annexed as Annexure P-2. One of the injuries shown is lacerated wound on right parietal region of skull measuring 4 cm x 1 cm muscle deep with actual bleeding.

Notice of motion.

On asking of the Court, Mr. Sarabjit Singh Cheema, DAG, Punjab, accepts notice on behalf of respondent-State. He, on instructions, from ASI Sohan Singh, submits that injury on the nose was abrasion and on the basis of CT Scan report, it was found to be a fracture but opinion from expert from the Hospital concerned is being sought on the same, which is yet not received. He submits that the injuries are collectively caused and no specific injury has been attributed to the petitioner. He further seeks time to file the status report.

List on 11.07.2023.

In the meantime, petitioner is directed to appear before the SHO/Investigating Officer as and when called to join investigation and in the event of her arrest, she shall be released on bail on her furnishing bail bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438(2) Cr.P.C.:-

(i) that the petitioner shall make herself available for interrogation before the investigating officer as and when required;

(ii) that the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him/her from disclosing such facts to the Court or to any police officer;

(iii) that the petitioner shall not leave the country without prior permission of the Court concerned.

Status report be filed well in time with advance copy to counsel opposite.”

4. The police official present in Court states that in pursuance of the aforesaid order, petitioner has joined the investigation and his custodial interrogation is not required at this stage.
5. In view of above, interim order dated 28.03.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
6. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
7. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
8. Disposed off accordingly.

11.07.2023
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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No