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

**CRM-M-16260-2023 (O&M)
Date of decision : 12.07.2023**

Amandeep Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab,
assisted by ASI Harinder Pal 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.34 dated 07.03.2023, under Sections 324, 326, 323, 506, 34 (Section 326 added subsequently) of the Indian Penal Code, 1860 (for short, '*the IPC*') registered at Police Station Sadar Dhuri, District Sangrur.

2. It transpires that above FIR was registered on the basis of statement made by one Amarjeet Singh to the effect that petitioner along with co-accused inflicted multiple injuries with iron rod, *kirpaan* & *barchha* on complainant, his brother Balwinder Singh & nephew Gurdeep Singh.

3. The Coordinate Bench vide order dated 29.03.2023 granted interim bail to the petitioner and relevant part of the same reads as under:-

“Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.34, dated 07.03.2023, under Sections 324, 326, 323,506 and 34 of IPC, 1860 (Section 326 of IPC added later on), registered at Police Station Sadar Dhuri, District Sangrur, Punjab.

Learned counsel for the petitioner submits that the petitioner has inflicted the injuries with a Barcha on the left wrist and right hand fingers of Balwinder Singh, who is the brother of the complainant. He further submits that three blunt injuries have been declared simple in nature, as is evident from MLR of Balwinder Singh, therefore Section 326 does not attract at least qua the petitioner.

Notice of motion.

On the asking of Court, Mr. Rajiv Verma, DAG, Punjab accepts notice on behalf of respondent-State, who on instructions from ASI Raghvinder Pal Singh submits that the petitioner was accompanying the other co-accused and has given injuries with blunt weapon, therefore being part of the group, who has attacked the complainant and his father, does not deserve the concession of anticipatory bail.

Considering the circumstances in totality and nature of injuries, which are simple as admitted by learned State counsel as well duly supported with the medical evidence, the petitioner be released on interim bail on his joining investigation as and when called for an cooperate therein, subject to furnishing personal surety/security bonds to the satisfaction of Arresting Officer/Investigating Officer. The petitioner shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

Adjourned to 12.07.2023.”

4. Learned State counsel, on instructions, submits that in pursuance of the aforesaid order, petitioner has joined investigation and his custodial interrogation is not required, at this stage.
5. In view of above, interim order dated 29.03.2023 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.

12.07.2023
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(MAHABIR SINGH SINDHU)
JUDGE

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