

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(211)

CRM No. M-16388 of 2023
Date of Decision : 13.07.2023

Gurjant Singh alias Raju

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Prince Sharma, Advocate for the petitioner.

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

Harsimran Singh Sethi, J. (Oral)

The petitioner is seeking anticipatory bail in FIR No. 26 dated 24.03.2022, registered under Sections 326, 325, 323, 324, 427, 148, 149 IPC at Police Station Jhabal, Tehsil and District Tarn Taran, Punjab.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order dated 10.04.2023 passed by a Co-ordinate Bench of this Court. Order dated 10.04.2023 is as under:-

“The instant petition under Section 438 Cr.P.C., has been filed for grant of anticipatory bail to the petitioner in FIR No. 26 dated 24.03.2022, under Sections 326, 325, 323, 324, 427, 148, 149 IPC, 1860 registered at Police Station Jhabal, Tehsil and District Tarn Taran, Punjab. .

Learned counsel for the petitioner contends that the injury attributed to the petitioner is simple in nature, though with the baseball bat on the left side of the head. He further submits that it is a cross case got registered vide GD No. 14

dated 26.03.2023 later on as a counter blast to the earlier FIR No. 25 dated 24.03.2022, under Sections 458, 336, 427, 148, 149 of IPC, 1860 and Sections 25 & 27 of Arms Act, 1959, registered at Police Station Jhabal, Tehsil & District Tarn Taran (Annexure P-4), in which the present petitioner is witness.

Notice of motion.

On the asking of Court, Mr. Rajiv Verma, DAG, Punjab, accepts notice on behalf of respondent-State, who does not controvert the above said fact particularly with regard to the nature of injury attributed to the petitioner.

Considering the aforesaid facts in totality, the petitioner is directed to be released on interim bail in case he joins the investigation on furnishing personal surety/security bonds to the satisfaction of Arresting Officer/Investigating Officer. The petitioner will also come present as and when called for and cooperate in investigation and shall abide by the conditions as specified under Section 438(2) Cr.P.C.

Adjourned to 13.07.2023."

Learned State counsel, on instructions from SI Bhupinder Singh states that in terms of the order dated 10.04.2023 reproduced hereinbefore, the petitioner has joined the investigation and no further interrogation is required.

In view of the above, the order dated 10.04.2023 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join and cooperate with the 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, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands allowed in above terms.

July 13, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes/No

Whether reportable? Yes/No