

203 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-17265-2022
Date of Decision: 27.01.2023

BALJINDER SINGH ... PETITIONER
V/S
STATE OF PUNJAB ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Jasdeep Singh, Advocate for the petitioner.
Ms. Ruchika Sabherwal, DAG Punjab.

* * * *

VIVEK PURI, J. (ORAL)

Petitioner is seeking anticipatory bail in case bearing DDR No. 30 dated 15.07.2021 under Sections 324, 323, 34 IPC (Section 326 IPC added later on) in cross-case FIR No. 136 dated 14.07.2021 under Sections 323/341/506/148/149 IPC registered at Police Station Sadar Faridkot.

On 27.04.2022, following order was passed:

“The learned counsel for the petitioner has submitted that he is seeking anticipatory bail in the cross DDR in FIR and in fact it is yet to be ascertained as to who was the aggressor party and, therefore, he may be considered for the grant of anticipatory bail.

Notice of motion.

Ms. Ishneet Kaur, learned Assistant Advocate General, Punjab, accepts notice on behalf of State of Punjab and prays for some time to seek instructions.

Adjourned to 01.11.2022.

In the meantime, petitioner is directed to join the investigation as and when called by the Investigating Officer. In the event of his arrest, he shall be released on bail by the Arresting/Investigating Officer on his furnishing bail bonds/sureties to his satisfaction, subject to the conditions as provided under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner contends that in pursuance of the interim directions, the petitioner has joined the investigation, it is a case of version and cross-version and furthermore, the injury under Section

326 IPC is on the fingers of the injured.

Learned State counsel, on instructions from ASI Kulwinder Singh, has not assailed the aforesaid factual aspect and further submitted that the custodial interrogation of the petitioner is not required. It has been further stated that the offence under Section 201 IPC has also been added but the same has not been incorporated in the petition.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 27.04.2022 is made absolute. However, it is made clear that this order be also construed with regard to the offence under Section 201 IPC.

27.01.2023

Janki

(VIVEK PURI)
JUDGE

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