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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-16993-2023 (O&M)

Date of decision : 18.08.2023

Sunny @ Prince Kumar

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

**CORAM : HON'BLE MRS. JUSTICE ALKA SARIN**

Present : Mr. R.D. Rattewal, Advocate for the petitioner.

Mr. M.S. Tiwana, AAG Punjab.

**ALKA SARIN, J. (ORAL)**

1. This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.231 dated 03.11.2021 under Sections 452, 323, 354, 427, 506, 148 and 149 of Indian Penal Code, 1860 registered at Police Station Tibba, District Ludhiana.

2. On 10.04.2023 the following order was passed :

*“The present petition is for grant of anticipatory bail to the petitioner in case bearing FIR No.231 dated 03.11.2021, under Sections 452, 323, 354, 427, 506, 148 and 149 of IPC, registered at Police Station Tibba, District Ludhiana.*

*Learned counsel for the petitioner submits that the*

*injuries attributed to the petitioner are simple in nature and the other allegations are that the petitioner had abused the complainant on the issue of confining their son in her house. He further submits that even as per the FIR, the allegations are that the petitioner had thrown down her husband and caused beatings to him.*

*Notice of motion.*

*Mr. Arun Gupta, AAG, Punjab, assisted by ASI, Jiwan Singh, accepts notice on behalf of the respondent-State. He submits that the injuries attributed to the petitioner are simple in nature and qua one injury, matter was kept under observations.*

*Having considered the matter and the fact that only a simple injury has been attributed to the petitioner coupled with the fact that no report has been received qua the other injuries, the petitioner is directed to join investigation on 18.04.2023 at 10:00 A.M. before the Investigating Officer and cooperate with the Investigating Agency, even thereafter.*

*In the event of arrest, the petitioner be released on interim bail subject to furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer and the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.*

*Adjourned to 14.08.2023.”*

3. Learned counsel for the petitioner would contend that pursuant to the said order, the petitioner has joined investigation and has fully cooperated.

4. Learned counsel for the State, on instructions from ASI Baljeet Singh, has stated that the petitioner has since joined investigation and has

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fully cooperated and that he is no longer required for further custodial interrogation as of now. Learned counsel has further pointed out that the challan is ready and would be presented shortly.

5. In view of the above, the order dated 10.04.2023 is made absolute. The petitioner shall, however, join investigation as and when called. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

6. Disposed off accordingly. Pending applications, if any, also stand disposed off.

18.08.2023  
Yogesh Sharma

( ALKA SARIN )  
JUDGE

NOTE: Whether speaking/non-speaking: Speaking  
Whether reportable: YES/NO