

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211

CRM-M-17084-2023

Date of decision: 05.07.2023

Simarjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sandeep Arora, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in cross-case DDR No.36 dated 16.02.2023 under Sections 323, 341, 506, 148, 149 IPC (Section 326 IPC added later on) registered at P.S.Model Town Ludhiana in FIR No.30 dated 16.02.2023 for the offences under Sections 323, 341, 506, 148 and 149 IPC registered at Police Station Model Town Ludhiana.

2. Vide order dated 12.04.2023 the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the petitioner inter alia contends that it is a case of version and cross-version wherein injuries were received by both the sides. While drawing the attention of this Court to the DDR (Annexure P-2) learned counsel submits that it clearly stands reflected therein that the petitioner has not been attributed any role much less any injury in the occurrence in question.”

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3. Learned counsel for the petitioner submits that in compliance of order dated 12.04.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Pardeep Kumar, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 12.04.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

05.07.2023
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(MANJARI NEHRU KAUL)
JUDGE

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