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

CRM-M-17136-2023 (O&M)

Date of decision : 20.09.2023

Jarnail Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Tanvir S. Grewal, Advocate,
for the petitioner.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab,
assisted by ASI Gulab Singh.

MAHABIR SINGH SINDHU, J.

Petition under Section 438 of the Code of Criminal Procedure, 1973 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 and 34 (Section 326 added subsequently) of the Indian Penal Code, 1860, registered at Police Station Sadar Dhuri, District Sangrur.

2. Allegations against the petitioner are that he along with other co-accused, caused injuries to the complainant; his brother Balwinder Singh; and nephew Gurdeep Singh.

3. The Coordinate Bench, on 12.04.2023, granted interim bail to petitioner and relevant part of the same is recapitulated as under:-

“Learned counsel for the petitioner contends that it is a case of version and cross version and a cross case has also been registered. He submits that the allegation

against the petitioner is of having inflicted a sword injury on a non-vital part. He submits that co-accused Amandeep Singh has already been granted interim relief by this Court vide order dated 29.03.2023 (Annexure P-2). He further submits that that co-accused Harpreet Singh has been granted regular bail after custody of one week. Learned counsel submits that the petitioner is willing to join investigation and abide by any conditions imposed by this Court.

Notice of motion.

Mr. M.S. Nagra, A.A.G., Punjab, accepts notice on behalf of the respondent.

In the meantime, the petitioner is directed to appear before the Arresting/Investigating Officer and join investigation. In the event of arrest, he shall be released on interim bail to the satisfaction of Arresting/Investigating Officer subject to compliance of the provisions of Section 438(2) Cr.P.C.

List on 06.07.2023.”

4. Contends that in terms of the aforesaid order, petitioner has already joined investigation and his custodial interrogation is not required.

5. Above factual position is duly acknowledged by learned State Counsel, on instructions from the police officer present in Court and further stated that custodial interrogation of the petitioner is not required at this stage.

6. In view of above, interim order dated 12.04.2023, is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

7. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
8. 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.
9. Disposed off accordingly.

20.09.2023
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(MAHABIR SINGH SINDHU)
JUDGE

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