

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

CRM-M No.21204 of 2023
Date of decision: 26th July, 2023

Gurwinder Singh @ Gurinder Singh @ Mani @ Lollu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Rishav Jain, Advocate for the petitioner.

Mr. Amit Rana, Sr. Deputy Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.0256, dated 10.11.2022, under Sections 458, 323, 341, 506, 148 and 149 IPC registered at Police Station City Sunam, District Sangrur.

2. On the last date of hearing, i.e. 28.04.2023, while noticing the following submissions made by learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Learned counsel for the petitioner contends that the only allegation qua him is causing injury with danda blow near the right ear and said injury has been declared simple in nature in the medical opinion. He has further asserted that out of total four accused, three persons namely Gurpreet Kaur @ Gagi, vide order dated 29.11.2022

(Annexure P-1), Mehakdeep Singh, vide order dated 25.11.2022 (Annexure P-2) and Sukhmani, vide order dated 25.11.2022 have already been granted the concession of bail by the Court below. It is also contended by the learned counsel for the petitioner that all offences except under Section 458 IPC are bailable. Learned counsel further submits that no custodial interrogation of the petitioner is required as nothing is to be recovered from him and he is ready to join the investigation.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 28.04.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, 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 the circumstances, the petition is allowed and the interim order dated 28.04.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

July 26, 2023
rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No