

2023:PHHC:084574

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

210

CRM-M-21622-2023

Date of decision : 05.07.2023

Sahil Kumar

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Naveen Sharma, Advocate
for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

PANKAJ JAIN, J. (Oral)

On 24.05.2023, the following order was passed:-

“The instant petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.38, dated 12.03.2023 under Sections 323, 324, 148, 149, 506 of IPC (Section 326 of IPC added lateron) IPC registered at Police Station Focal Point, Ludhiana (Annexure P-1)

2. It has been contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He further submitted that even the petitioner was not named in the FIR and his name figured only in the supplementary statement after many days of the incident. He further submitted that no injury or overt act has been attributed by the petitioner and hence prayed for grant of anticipatory bail.

3. Learned State counsel has assailed these arguments by submitting that the petitioner had

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participated in the occurrence, wherein he along with his co-accused armed with deadly weapons has caused multiple injuries to the complainant Deepak Chaudhary as well as Mahesh Gupta and Subham Verma. He submitted that custodial interrogation of the petitioner is required.

4. Heard.

5. After considering the respective submissions and perusing the record, admittedly, the petitioner was not named in the FIR and his name figured only in the supplementary statement of the complainant recorded on 03.04.2023 and no overtact or injury has been attributed to the petitioner nor he is alleged to be having any weapon at that time, and before deciding the petition on merits, it is deemed appropriate and in the interest of justice that the petitioner shall join investigation within seven days from today and in the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.

6. List on 05.07.2023.”

2. Today, learned State counsel, on instructions from ASI Ramesh Lal, has stated that pursuant to the order dated 24.05.2023, the petitioner has joined investigation and is no longer required for custodial interrogation.

3. In view of above, the interim order dated 24.05.2023 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

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4. Petition stands disposed off.

(PANKAJ JAIN)
JUDGE

05.07.2023

Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No