

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.21762 of 2023
Date of decision: 24th July, 2023

Rajwinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. N.S. Sidhu, Advocate for the petitioner.

Mr. Subhash Godara, Addl. 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.19, dated 07.02.2023, under Sections 458/323/506/427/148/149 of IPC, 1860 (Section 325 IPC added later on), registered at Police Station Raman, District Bathinda.

2. On the last date of hearing, i.e. 01.05.2023, 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, while drawing attention of this Court to the allegations levelled in the FIR, submits that the petitioner was allegedly armed with an axe at the time of the alleged occurrence; he allegedly inflicted a simple injury on the head and right shoulder of Gurmit

Singh. Learned counsel submits that injury inviting the mischief of Section 325 of IPC has not been attributed to him but to co-accused Dharampreet Singh. It has also been submitted that it is a case of version and cross version, wherein injuries were received by both the parties.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 01.05.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Parvinder Singh, 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 01.05.2023 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 24, 2023
rps

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