

206

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-23676-2022 (O&M)
Date of decision : 21.08.2023

Balkaran Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. V.K. Shukla, Advocate for the petitioner.

Mr. M.S. Tiwana, AAG Punjab.

Mr. N.S. Dandiwal, Advocate for the complainant.

ALKA SARIN, J. (ORAL)

1. This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.62 dated 19.04.2022 registered under Sections 451, 354, 354-A, 506 of Indian Penal Code, 1860 (Section 452 IPC added later on) at Police Station City Moga, District Moga (Annexure P-1).

2. On 27.05.2022 the following order was passed :

“Instant petition has been filed under Section 438 Cr.P.C., seeking grant of anticipatory bail to the petitioner in case FIR No.62 dated 19.04.2022 registered under Sections 451, 354, 354-A, 506 of Indian Penal Code, 1860 at Police Station City Moga, District Moga (Annexure P-1).

Counsel for the petitioner contends that it is a case of version and cross-version and it is yet to be determined as to which party is the aggressor. Counsel has referred to the DDR (Annexure P-2) and MLR (Annexure P-3) of the petitioner to submit that the petitioner has sustained injuries in the occurrence. Still further, he has urged that a compromise (Annexure P-6) was arrived at between the parties, but could not be given effect to.

Notice of motion.

On asking of the Court, Mr. Amandeep Singh Gill, Sr. DAG, Punjab accepts notice on behalf of respondent-State. Upon instructions from HC Kamaljeet Singh, he submits that injuries sustained by the petitioner have all been reported to be simple.

List on 05.09.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called by the Investigating Officer and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

3. Learned counsel for the petitioner would contend that pursuant to the said order, the petitioner has joined investigation and has fully cooperated.

4. Learned counsel for the State, on instructions from ASI Manjinder Singh, has stated that the petitioner has since joined investigation and has fully cooperated and that he is no longer required for further custodial interrogation as of now.

5. In view of the above, the order dated 27.05.2022 is made absolute. The petitioner shall, however, join investigation as and when called. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.
6. Disposed off accordingly. Pending applications, if any, also stand disposed off.

21.08.2023
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO