

CRM-M-23968-2022
Date of decision-13.01.2023

Balbir Singh @ Balvir Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Yogesh Goel, Advocate for the petitioner.

Ms. Shivani Sharma, DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.88 dated 25.03.2022 under Sections 341, 323, 506, 427, 148 and 149 of Indian Penal Code, 1860 registered at Police Station Sahnewal, District Ludhiana, who apprehends his arrest at the hands of Police.

On 30.05.2022, this Court had passed the following order:-

“Learned counsel contends that as per prosecution, initially four persons, namely, Kamikar Singh, Harjinder Singh, Lovepreet Singh and Peelu were implicated in respect of an occurrence, wherein complainant Jasvir Singh suffered injuries and the petitioner is not one of the accused in the said occurrence. He submits that subsequently, the petitioner was implicated on the basis of statement by prosecution witness Jugraj Singh, who came to rescue Jasvir Singh and has alleged that the assailants later came to his house and caused injuries upon him. Mr. Goel,

learned counsel has argued that the subsequent occurrence is separate and independant, but the petitioner has been implicated as an accused in this FIR No.88 dated 25.03.2022, under Sections 341, 323, 506, 427, 148 and 149 IPC (Sections 452 and 325 IPC added later on), at Police Station Sahnewal, District Ludhiana. According to him, no specific injury is attributed to the petitioner. Notice of motion for 18.08.2022.

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

Learned counsel for the petitioner has stated that in compliance of the above order, the petitioner associated himself in the investigation and cooperated during interrogation.

Learned State counsel who is instructed by ASI Jogender Singh states that indeed the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 30.05.2022 is made absolute.

(MANOJ BAJAJ)
JUDGE

13.01.2023
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No