

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

207-1

CRM-M No.23206 of 2023

Date of Decision : 20.10.2023

Sajan

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Ritesh Pandey, Advocate for the petitioner.

Mr. M.S. Tiwana, AAG Punjab.

ALKA SARIN, J. (Oral)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.13 dated 09.02.2023 under Sections 452, 354, 323, 427, 148 and 149 of the Indian Penal Code, 1860 registered at Police Station Sadar Gurdaspur, District Gurdaspur.

2. On 08.05.2023 the following order was passed :

“The present petition has been preferred seeking grant of anticipatory bail in case FIR No.13 dated 09.02.2023 under Sections 452, 354, 323, 427, 148, 149 IPC at Police Station Sadar Gurdaspur, District Gurdaspur.

Learned counsel for the petitioner submits that the entire story in the FIR is concocted and false, and in fact, a minor dispute arose between the residents of the

same colony and the injuries attributed are also simple in nature.

Notice of motion.

Mr. Arun Gupta, AAG, Punjab, accepts notice on behalf of the State and has vehemently opposed the bail application of the petitioner and submits that the allegation upon the petitioner is that he gave a blow of dattar from the reverse side. However, he does not dispute the fact that as per the MLR injuries are simple in nature.

Learned counsel for the petitioner relies upon CRM-M-17143-2023, in which the co-accused has been granted the bail by this Court.

In the light of the above, without commenting on the merits of the case, the petitioner is directed to join investigation on 15.05.2023 at 10:00A.M. before the Investigating Officer and cooperate with the Investigating Agency even thereafter.

In the event of arrest, the petitioner be released on interim bail subject to furnishing personal/surety bonds to be satisfaction of the Arresting/Investigating Officer and the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

In the meanwhile, learned State counsel may file the status report detailing out the outcome of the injury attributed to the petitioner.

Adjourned to 10.08.2023.

To be heard along with CRM-M-17143-2023.

*In the meanwhile, the State counsel is directed to
file status report.”*

3. Learned counsel for the petitioner states that the petitioner has since joined the investigation and fully cooperated.

4. Learned counsel for the State on instructions from ASI Baljit Singh has stated that the petitioner has since joined investigation and 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 08.05.2023 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.

20.10.2023

jk

**(ALKA SARIN)
JUDGE**

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