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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25250-2023 (O&M)
Date of decision : 13.10.2023

Hari Parshad @ Harry @ Kaka ... Petitioner(s)

Versus

State Of Punjab ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

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

Mr. Adhiraj Singh Thind, AAG Punjab.

Mr. Karan Chaudhary, 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.13 dated 09.02.2023 under Sections 452, 354, 323, 427, 148 and 149 of the Indian Penal Code registered at Police Station Sadar, Gurdaspur, District Gurdaspur.

2. On 31.05.2023 the following order was passed :

“In compliance of order dated 18.05.2023, status report by way of an affidavit of Dr. Riputapan Singh, PPS, Deputy Superintendent of Police, City, District Gurdaspur has been filed by learned State Counsel on behalf of respondent No.1-State, which is taken on

record, subject to all just exceptions. Copy thereof is also supplied to learned counsel for the petitioner in the Court today itself.

It has been fairly submitted by learned State counsel that as per medico legal report, the injuries are simple in nature and in fact, the alleged Datar has been recovered from the co-accused.

Adjourned to 31.08.2023.

In the meanwhile, the petitioner is directed to join investigation on 04.06.2023 at 10:00 A.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 the satisfaction of the Arresting/Investigating Officer and the petitioner shall abide by the conditions as envisaged 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 Malkiat 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 31.05.2023 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

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specified under Section 438(2) of the Code of Criminal Procedure, 1973.

6. Disposed off accordingly. Pending applications, if any, also stand disposed off.

13.10.2023
Yogesh Sharma

(ALKA SARIN)
JUDGE

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