

2023:PHHC:119378

**207 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-27524-2023

Date of Decision: 12.09.2023

SANDEEP SINGH

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Vishal Khatri, Advocate, for the petitioner.
Ms. Ruchika Sabherwal, DAG, Punjab.
Mr. Anupam Bhardwaj, Advocate, for the complainant.

VIVEK PURI, J.(ORAL)

1. On 29.05.2023, the following order was passed by the Coordinate
Bench of this Court:-

“The present petition has been preferred seeking grant of anticipatory bail in case FIR No.56 dated 22.03.2023 under Sections 354 325, 506 and 326 of IPC (wherein Section 326 of IPC has been added later on) at Police Station Ajnala, District Amritsar.

Learned counsel for the petitioner submits that the entire allegations leveled in the FIR are false and concocted, and in fact it was a case of previous enmity, whereby an incident took place between the petitioner and the Sarpanch and he had fired upon the petitioner and in fact, it was the complainant, who had threatened the petitioner and a minor scuffle has been given a criminal colour.

Notice of motion.

Mr. Arun Gupta, AAG, Punjab, accepts notice on behalf of the State and submits that the allegations against the petitioner are that he intended to give a datar blow to the complainant, however, his son came between them, who suffered injury on his elbow and the injury is grievous in nature.

Learned counsel for the complainant while assisting the learned State counsel submits that the issue is not a minor scuffle, rather there have been earlier reports that he has misbehaved and have made attempts to outrage the modesty of other women also, though it is vehemently opposed by the

learned counsel for the petitioner.

After hearing the counsel, without commenting on the merits of the case, the petitioner is directed to join investigation on 02.06.2023 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 be satisfaction of the Arresting/Investigating Officer and the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Adjourned to 12.09.2023.

However, this order shall not be considered and in case it is found that the averments made by the counsel for the complainant are found to be true, the present petition shall be decided on merits.

Reply/status report be filed on or before the next date of hearing.”

2. Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation. None of the injured is admitted in hospital or suffered any disability.
3. Learned State counsel has not disputed the aforesaid factual aspects. It has been further submitted that reply/status report is not required to be filed in the instant case. The recovery of weapon of offence has been effected and custodial interrogation of the petitioner is not required.
4. Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioners. Accordingly, order dated 29.05.2023, vide which the petitioner has been granted interim bail, is made absolute.
5. Petition is allowed.

12.09.2023
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned

Whether Reportable

: Yes/No

: Yes/No