

2023:PHHC:054776

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

CRM-M-30504-2022 (O&M)

Date of Decision: 19.04.2023

MEHAR SINGH

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Hardeep Singh, Advocate
for the petitioner.

Mr. Jaiteshwar S. Bhandari, AAG, Punjab.

VIVEK PURI, J.(ORAL)

1. On 15.12.2022, the following order was passed:-

“The petitioner is seeking anticipatory bail in the case bearing FIR No. 134 dated 11.07.2019 under Sections 201, 323, 324, 341, 506, 148, 149 IPC, later on added Section 326 IPC and Sections 24, 54 and 59 of the Arms Act registered at Police Station Shahkot, Jalandhar Rural, District Jalandhar.

Learned counsel for the petitioner contends that the injury under Section 326 IPC has not been attributed to the petitioner. There are 6 more persons who have been arraigned as accused and all of them have been granted bail. The injury attributed to the petitioner falls under Section 323 IPC.

Learned State counsel submits that the petitioner was armed with *gandasi* at the time of occurrence and offence under Section 201 IPC has also been invoked in the instant case.

It may be mentioned here that the offence under Section 201 IPC is bailable and the injury under Section 326 IPC has not been attributed to the petitioner.

Adjourned to 19.04.2023.

In the meanwhile, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

2. Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation.
3. Learned State counsel, on instructions from ASI Daljit Singh, has not disputed the aforesaid factual aspects and further submits that 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 petitioner. Accordingly, order dated 15.12.2022, vide which the petitioner has been granted interim bail, is made absolute.
5. Petition is allowed.

19.04.2023
smriti

(VIVEK PURI)
JUDGE

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