

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

CRM-M-30636-2022
Date of decision: 10.04.2023

GURPREET SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Ms. Isha Goyal, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J. (ORAL)

On 18.07.2022, the Co-ordinate Bench had passed the following
order :-

“Through this petition, the petitioner seeks anticipatory bail in case bearing FIR N.41 dated 07.03.2022, registered at Police Station Lopoke, District Amritsar Rural, under Sections 452, 323, 324, 326 and 34 IPC. Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that the alleged occurrence took place on 14.02.2022 whereas the above-noted FIR was registered on 07.03.2022 i.e. after a delay of 21 days; that the petitioner and the complainant being the neighbours, have shares in the common wall; that the brother of the petitioner made a complaint dated 15.02.2022 against the complainant, her husband and her mother-in-law, for abusing the petitioner and his family members; that injury on the non-vital part i.e. little finger of left hand of the complainant, with a brick, has been attributed to the petitioner.

Notice of motion for 01.11.2022.

Meanwhile, the petitioner is directed to join investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of Investigating Officer/Arresting Officer, subject to the conditions as envisaged in Section 438 (2) Cr.P.C.

However, anticipatory bail, granted while exercising the

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judicial discretion, should not operate as an inroad into the statutory investigational power of the police.”

Learned counsel for the petitioner contends that the injury under Section 326 IPC has not been attributed to the petitioner and in pursuance of interim directions, the petitioner has joined the investigation.

On instructions from SI Kuldeep Singh, learned State counsel has not disputed the aforesaid factual aspects and submits that the custodial interrogation of the petitioner is not required.

In view of the aforesaid submissions, the order dated 18.07.2022, granting interim bail to the petitioner is made absolute.

The petition is allowed.

10.04.2023
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No