

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

213

2023:PHHC:107123

CRM-M-29750-2023

Date of decision: August 18th, 2023

Himanshu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Pankaj Garg, Advocate
for Mr. Priyanshu Kamra, Advocate
for the petitioner.

Mr. Subhash Godara, Additional Advocate General,
Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition under Section 438 Cr.P.C. has been filed for grant of anticipatory bail to the petitioner in FIR No.80 dated 08.05.2023 under Sections 458, 323, 148, 149 of IPC, 1860, registered at Police Station City-1, Abohar, District Fazilka.

Vide order dated 06.06.2023, the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the petitioner contends that the injury attributed to the petitioner as per the narration of FIR is on the head of the victim namely Sonia with a baseball bat and the same has been declared to be simple in nature.”

Learned counsel for the petitioner submits that in compliance of order dated 06.06.2023, the petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel, on instructions from ASI Sukhwinder Singh, P.S. City-I, Abohar, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He submits that there is no other case against the petitioner except the present one. He further submits that the petitioner is not required for further investigation much less for his custodial interrogation.

In view of the above, the petition is allowed and interim order dated 06.06.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

August 18th, 2023
Puneet

(MANJARI NEHRU KAUL)
JUDGE

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