

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.29959 of 2023
Date of decision: 1st September, 2023

Gurtar Singh

... Petitioner

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Jatinder Nagpal, Advocate for the petitioner.
Mr. Amit Rana, Sr. Deputy Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.0116 dated 22.09.2022 under Sections 324, 323, 341, 506, 148, 149 IPC (Section 326 of IPC added later on) registered at Police Station Dirba, District Sangrur (Annexure P-1).

2. On the last date of hearing, i.e. 07.06.2023, while noticing the following submissions made by learned counsel for the petitioner, a Coordinate Bench of this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Learned counsel for the petitioner contends that the instant FIR is a result of counter blast to an earlier FIR bearing No.14 dated 31.01.2022, which was registered at the behest of the petitioner under Sections 325, 324, 323, 506, 148, 149 of IPC, 1860 at Police Station Dirba, District

Sangrur. The allegations in the instant FIR qua the petitioner is of causing an injury with gandasa only on the right arm.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 07.06.2023, the petitioner has joined investigation and cooperated with the investigating agency.
4. Learned State counsel, on instructions from HC Gagandeep Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. It has also not been disputed that the injury inviting the mischief of Section 326 IPC attributed to the petitioner is on the little finger of the right hand of the complainant. Learned State counsel, on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.
5. In the circumstances, the petition is allowed and the interim order dated 07.06.2023 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 bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

September 1, 2023
rps

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