

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

**CRM-M-30379-2023 (O&M)
Date of decision : 03.08.2023**

Vikram Singh

...Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Namit Khurana & Mr. Sandeep Sharma, Advocates
for the petitioner.

Mr. Viney Phogat, DAG, Haryana for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition under Section 438 of the Code of Criminal Procedure has been filed for grant of pre-arrest bail to the petitioner in FIR No.897 dated 30.11.2022, under Sections 148, 149, 323, 324, 341, 506 of the Indian Penal Code, 1860 (*for short 'the IPC'*) [Section 307, IPC added later on], registered at Police Station Indri, District Karnal.

(2) It transpires that above FIR was registered on the basis of statement made by complainant-Lachhman to the effect that on 27.11.2022 at about 8:30 PM, when he along with his son-Sunil Kumar reached at Village crossing, they found that accused Bhupinder Singh was present there and he

started hurling abuses upon them. Thereafter, at about 10:15 PM, complainant proceeded to the house of his brother and when he reached near Shiv Mandir, petitioner-Vikram Singh, armed with Knife; co-accused Bhupinder Singh & Maninder Singh, both armed with Swords; Karan Singh & Shiva, both armed with *Dandas*, were already present there. All accused started hurling abuses and waylaid the complainant. Thereafter, Bhupinder Singh & Maninder Singh gave Swords blow on the head; right hip and stomach of the complainant. Petitioner-Vikram Singh assaulted the complainant on his left arm with knife. Shiva & Karan Singh, assaulted him with their respective *Dandas*. Consequently, complainant fell down on the ground and all the assailants fled away from the spot after giving threats to kill him.

(3) This Court, vide order dated 15.06.2023, granted interim bail to petitioner and the same reads as under:-

“Contends inter alia that offence under Section 307 IPC was added after a period of 01 (one) month from the date of alleged occurrence, without any basis.

Notice of motion.

Mr. Kiran Pal Singh, AAG, Haryana, accepts notice on behalf of the respondent-State and seeks time to have instructions and/or file written response in the matter.

Posted on 03.08.2023.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”

- (4) Learned counsel submits that in pursuance of the aforesaid order, petitioner has already joined the investigation and his custodial interrogation is not required.
- (5) Learned State Counsel, on instructions from S.I. Ram Diya, submits that petitioner has joined investigation and as on today, his custodial interrogation is not required.
- (6) In view of above, interim order dated 15.06.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
- (7) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
- (8) The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
- (9) Disposed off accordingly.

August 3rd, 2023
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(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>