

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

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**CRM-M No.30139 of 2023
Date of decision: 23.08.2023**

MEJAR SINGH @ MAJOR SINGH

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Tanvir Joshi, Advocate for the petitioner.
Mr. Gurdarshan Singh Sidhu, A.A.G, Punjab.
Mr. Jaskirat Singh Dhaliwal, Advocate for the complainant.

MANISHA BATRA, J. (oral)

1. The instant petition has been filed by the petitioner seeking anticipatory bail under Section 438 of Cr.P.C. in case bearing FIR No.24 dated 14.04.2023 registered under Sections 323, 324, 506, 148 and 149 of IPC (Section 326 of IPC added subsequently) at Police Station Sadar Malout, District Sri Muktsar Sahib.

2. As per the allegations, on 10.04.2023, the complainant-Harwinderpal Singh was present in the agricultural land taken by him on lease and was checking the passage, when he was intercepted by the petitioner and co-accused who reached there riding on some vehicles and opened an assault him while making an exhortation to teach him a lesson for helping Sukhmander Singh. They caused injuries to him with the weapons which they were carrying. The petitioner struck a blow with the butt of pole-axe thereby, injuring the fingers of the complainant. He also sustained injuries at the hands of the co-accused. While retreating, the petitioner and co-accused extended threats to the complainant who was taken to the hospital and was given treatment. FIR was registered on the basis of his statement.

3. Vide order dated 09.06.2023, the petitioner was directed to join the investigation. Today, his counsel has submitted that he has joined the same.
4. Learned State counsel on instructions from ASI-Ashok Kumar, has very fairly submitted that the petitioner had joined the investigation and also that neither his custodial investigation is required and nor any recovery is to be effected from him.
5. Learned counsel for the complainant has however, vehemently argued that the allegations against the petitioner are quite serious and therefore, stressed that the present petition does not deserve to be allowed.
6. Since the petitioner has already joined the investigation and his custodial interrogation is not required and as the subject offences are triable by the Magistrate, hence taking into consideration the entire facts and circumstances of the case, this Court is of the opinion that it is a fit case for extending the concession of anticipatory bail to the petitioner. Therefore, the petition as such is accepted and it is ordered that in the event of arrest, the petitioner shall be released on bail subject to his furnishing personal bonds/surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon and shall cooperate with the Arresting/Investigating Officer and shall also be abide by the conditions as envisaged under Section 438(2) Cr.P.C.

23.08.2023
Jyoti-IV

(MANISHA BATRA)
JUDGE

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