

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

**CRM-M-30232-2023 (O&M)
Date of decision : 31.07.2023**

Mani @ Dharminder Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. K.H.S.Bath, Advocate for the petitioner.

Mr. Amish Sharma, AAG, Punjab 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.85 dated 03.04.2023, under Sections 326, 323, 324, 506, 148 & 149 of the Indian Penal Code, 1860 (*for short 'the IPC'*), registered at Police Station Civil Lines Batala, District Batala.

(2) It transpires that above FIR was registered on the basis of statement made by complainant-Udham Singh to the effect that on 31.03.2023 at about 9:30 AM, accused Ranjit Singh, armed with double

barrel rifle; Mani (petitioner) & Happy, both armed with *Dattar*, along with other unknown persons, armed with *Dandas*, waylaid the complainant and his brother. Accused Ranjit Singh exhorted his co-accused to teach the complainant a lesson for quarreling with him. Thereafter, Happy gave *dattar* blow on the head of complainant; whereas unknown person gave *danda* blow on his back. Ranjit Singh gave two blows with his rifle on the back and one unknown person gave *danda* blow on the left side of hip joint of complainant. Mani (petitioner) gave *dattar* blow on the left leg of complainant.

(3) This Court, vide order dated 12.06.2023, granted interim bail to petitioner and the same reads as under:-

“Contends, inter-alia, that there is a delay of three days in lodging the FIR.

Notice of motion

Mr. Ferry Sofat, Addl. AG, Punjab, accepts notice and seeks time to have instructions in the matter.

Posted on 31.07.2023.

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 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 SI Gurmeet Singh submits that petitioner has joined the investigation and as on today, his custodial interrogation is not required.
- (6) In view of above, interim order dated 12.06.2023 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.

July 31st, 2023
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No