

210

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

**CRM-M-30303-2023 (O&M)
Date of Decision: 29.08.2023**

KRISHAN LAL**.. Petitioner****Vs.****STATE OF UT CHD.****..Respondent****CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present: Mr. Raj Kapoor Malik, Advocate for the petitioner.

Mr. Shashank Bhandari, APP for
U.T. Chandigarh.

...

MAHABIR SINGH SINDHU, J.

1. 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.59 dated 20.05.2023, under Sections 147, 149, 323, 332, 452 and 506 of the Indian Penal Code, 1860, registered at Police Station Industrial Area, Chandigarh.

2. Above FIR was registered on the basis of statement made by complainant Anil Kumar, General Manager, Haryana Roadways, Chandigarh with the allegations that a dispute arose between petitioner-Krishan Lal (mechanic) and Naveen Kumar (washing boy) and thereafter, the petitioner called his family members at the workplace and gave severe beatings and also used filthy language to Naveen Kumar, Nanak Chand (Carpenter) and Jagmohan Singh (SSI).

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

*Contends, inter-alia, that FIR in question was
lodged after a period of approximately two and a half months.
Notice of motion
Mr. Shashank Bhandari, Addl. PP, UT, 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 counsel for U.T. Chandigarh, on instructions from SI Surender Kumar submits that petitioner has joined investigation, but he is not co-operating. However, he has candidly admitted that there is no medico legal report in this case.
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.
10. Pending applications, if any, also stand disposed off.

29.08.2023
Jasmine Kaur

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No