

211

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

**CRM-M-30411-2023 (O&M)
Date of Decision: 29.08.2023**

CHARAN DASS**.. Petitioner****Vs.****STATE OF PUNJAB****..Respondent****CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present: Mr. Gurpal Singh Sandhu, Advocate for the petitioner.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab.

...

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.05 dated 07.01.2023 under Sections 379-B, 323, 148 and 149 of the Indian Penal Code, 1860, registered at Police Station Kotbhai, District Sri Muktsar Sahib.
2. Above FIR was registered on the basis of statement made by complainant Navjot Ram with the allegations that petitioner along with his co-accused inflicted injuries on him.
3. This Court, vide order dated 07.07.2023 granted interim bail to petitioner and the same reads as under:-

“Learned State Counsel on instructions from ASI Amrik Singh fairly apprised the Court that co-accused, namely, Harmehakdeep Singh with similar allegations has already been granted the concession of pre-arrest bail by the Coordinate Bench vide order dated 11.04.2023 (P-3).

Since no one is appearing on behalf of the petitioner, purely in the interest of justice, posted for 29.08.2023.

In the meanwhile, petitioner will join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail in the

present case, till the next date of hearing, on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to 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 ASI Amreek Singh submits that petitioner has joined investigation and as on today, his custodial interrogation is not required.
6. In view of above, interim order dated 07.07.2023 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.

29.08.2023
Jasmine Kaur

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No