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

CRM-M-30416-2023 (O&M)

Date of decision : 02.08.2023

Lovepreet Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Hasrat Brar, Advocate,
for the petitioner.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab,
assisted by ASI Satwant Singh.

MAHABIR SINGH SINDHU, J.

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 17.05.2023, under Section 384, 385, 506, 427, 323, 34 of the Indian Penal Code, 1860 (for short, '*the IPC*'), registered at Police Station City Zira, District Ferozepur.

2. It transpires that above FIR was registered on the basis of statement made by one Raj w/o Wasir, who runs a *dhaba*, to the effect that petitioner along with co-accused were demanding money from the complainant, but upon refusal, all of them caused injuries to her and damaged Activa scooter along with other items lying at the *dhaba*.

3. This Court, on 14.06.2023, granted interim bail to petitioner and relevant part of the same is recapitulated as under:-

“Contends inter alia that alleged injuries attributed to the petitioner are simple in nature.

Notice of motion.

Notice re: interim relief as well.

Mr. Kirat Singh Sidhu, DAG, Punjab, accepts notice on behalf of the respondent-State and seeks time to have instructions in the matter.

Posted on 02.08.2023.

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. Contends that in terms of the aforesaid order, petitioner has already joined the investigation and his custodial interrogation is not required.

5. The above factual position is duly acknowledged by learned State Counsel, on instructions from the police officer concerned and further stated that custodial interrogation of the petitioner is not required at this stage.

6. In view of above, interim order dated 14.06.2023 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.

02.08.2023
atulsethi

(MAHABIR SINGH SINDHU)
JUDGE

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