

**211 IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH****CRM M-30450-2023 (O&M)****Date of Decision: 27.07.2023**

Gurpyar Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sanjeev Kumar Arora, Advocate,
for the petitioner.

Mr. Jaiteshwar S. Bhandari, AAG Punjab.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short “Cr.P.C”) for grant of pre-arrest bail to the petitioner in FIR No.91 dated 13.05.2023, under Sections 341, 379-B, 332, 307, 353 and 186 read with Section 34 IPC registered at Police Station City Sunam, District Sangrur.

2. Petitioner along with co-accused Sandeep and Gurwinder Singh surrounded Constable Darshan Singh & Constable Sandeep Singh. The accused caused them injuries with stick and baseball bat.

3. This Court, vide order dated 14.06.2023, granted interim bail to petitioner and the same reads as under:-

“Contends inter alia that present FIR has been registered on the basis of totally false allegations.

Notice of motion for 27.07.2023.

On the asking of the Court, Mr. Kirat Singh Sindhu, Deputy Advocate General, Punjab, accepts notice on behalf of the respondent and seeks time to have instructions or file response in the matter.

Requisite copies of paper-book be supplied to learned State counsel during the course of day.

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 on instructions from petitioner submits that in pursuance of the aforesaid order, he joined investigation and his custodial interrogation is not required by the Police.

5. The above factual position is duly acknowledged by learned State Counsel, on instructions from quarter concerned and fairly submitted 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.

10. Pending criminal misc. application(s), if any, shall also stand disposed off.

27.07.2023
SN

(MAHABIR SINGH SINDHU)
JUDGE

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