

211 **IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM M-30716-2023 (O&M)
Date of Decision: 18.08.2023

Navjot Singh @ Gurjot Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sumeet Singh Brar, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, Sr. DAG, 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.30 dated 06.02.2023, under Section 323, 324, 147 and 149 of the Indian Penal Code, 1860 (Section 326 IPC added later on) registered at Police Station Samrala, District Ludhiana.

2. Allegations in brief are that on 04.02.2023, at about 03:00 PM, petitioner alongwith Jagroop Singh, Harman Singh and Ram Charan caused injuries to son of the complainant, namely Harpinder Singh Vicky. On the same day, they caused injuries to the complainant Paramjeet Kaur and her son at 04:40 PM. The accused were armed with *kirpan*, *kirch*, baseball and iron rods.

3. This Court vide order dated 16.06.2023, granted interim bail to petitioner and the same reads as under:-

“Contends inter alia that offence unde Section 326 IPC was added on 28.02.2023, i.e. after about 22 days from the date of alleged occurrence and that too, without any basis.

Notice of motion.

Ms. Monika Jalota, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State and seeks time to have instructions and/or file written response in the matter.

Posted on 07.08.2023.

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 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 16.06.2023 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.

18.08.2023

SN/Mehak

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable: Yes/No