

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

**CRM-M-30719-2023 (O&M)
Date of decision : 09.08.2023**

Sukhvir Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Tanvir S. Grewal, Advocate for the petitioner.

Mr. Amish Sharma, AAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

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.55 dated 18.05.2023, under Sections 323, 324, 326, 506, 34 of the Indian Penal Code, 1860 (Section 326, IPC added later on), registered at Police Station Longowal, District Sangrur.

(2) Above FIR was registered on the basis of statement made by complainant-Karamjit Kaur with the allegations that she had filed a civil suit against her sister-Paramjit Kaur, son-Harman Singh & husband-Sukhvir Singh (petitioner) and due to that reason, they all nursed a grudge against the complainant. On 13.05.2023, at about 1:30/2:00 PM, when

complainant along with her husband were spraying in their maize crop, Paramjit Kaur and her husband-Sukhvir Singh (petitioner), armed with sticks, came there. Paramjit Kaur exhorted that she be taught lesson and then Paramjit Kaur caught hold the complainant. Petitioner-Sukhvir Singh gave stick (affixing sharp iron object) blows; whereas Paramjit Kaur gave kick blows to the complainant.

(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 under Section 326 IPC was added on 02.06.2023, i.e. after about 15 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 09.08.2023.

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) 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 Ram 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 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.

August 9th, 2023
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>