

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 224

CRM-M-32626-2022

Date of decision : 10.03.2023

Navjot Singh @ Navdeep Singh @ Navi

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Ranjeet K.Jaswal, Advocate, for
 Mr.J.P.S.Sarao, Advocate, for the petitioner.

Mr.A.P.S.Tung, DAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.243 dated 28.11.2021 registered under Sections 307, 395, 458, 325, 323, 148 and 149 IPC at Police Station Bhawanigarh, District Sangrur.

On 24.11.2022 this Court had passed the following order: -

“Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.243 dated 28.11.2021, registered at Police Station Bhawanigarh, District Sangrur, under Sections 307, 395, 458, 325, 323, 148 and 149 IPC.

Learned counsel for the petitioner submits that two stick blows on the wrist and head of Pawan and Sunil Kumar have been attributed to the petitioner, which are simple in nature and that Sharanpreet Singh against whom allegations of inflicting injuries on the head and wrist of Pawan Kumar, Dharampal and Ashok Kumar and snatching of Rs.33,000/- were levelled, has been declared innocent during investigation.

On the other hand, while opposing the prayer for grant of anticipatory bail to the petitioner, learned counsel for the complainant submit that the FIR was registered on 28.11.2021 and it was after 6 months, the concerned Inquiry Officer, for the reasons best known to him, has declared Sharanpreet Singh innocent.

Learned State counsel does not dispute the fact that Sharanpreet Singh and Varinder Singh have been declared as innocent.

I have heard the learned counsel for the parties.

The injuries attributed to the petitioner are simple in nature. As per the learned counsel for the petitioner, main accused, namely, Sharanpreet Singh, against whom there are specific allegations, has been declared as innocent by the investigating agency.

Adjourned to 10.03.2023.

Meanwhile, the petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.

However, anticipatory bail, granted while exercising the judicial discretion, should not operate as an inroad into the statutory investigational power of the police.”

Learned State counsel submits that in pursuance to the afore quoted order the petitioner has joined and cooperated with the investigation and that the State no longer requires the petitioner for investigation purposes.

In the light of the submissions made on behalf of the petitioner as have been recorded in the afore quoted order as also the statement made on behalf of the State, subject to the petitioner's abiding by the conditions prescribed under Section 438(2) Cr.P.C the order of this Court dated 24.11.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

10.03.2023

shamsher

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No

[DEEPAK SIBAL]

JUDGE