

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.31299 of 2023
Date of decision: 29th November, 2023

Pipal Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Anmol Puri, Advocate for the petitioner.

Ms. Kanica Sachdeva, Asst. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.50 dated 05.04.2023 under Sections 324, 323, 148, 149 of the IPC (Section 326 of the IPC added later on) registered at Police Station Mamdot, District Ferozepur.

2. On the last date of hearing, i.e. 24.08.2023, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation in view of the following submissions made by learned counsel for the petitioner on 06.07.2023:

“Learned counsel for the petitioner inter alia contends that it is a case of version and cross-version wherein both the parties received injuries at the hands of each other. Learned counsel submits that it is the opposite party, which came to the spot just outside his house and initiate the occurrence in question.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 24.08.2023, the petitioner has joined investigation and cooperated with the investigating agency.
4. Learned State counsel, on instructions from HC Kamaljeet Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. She, on further instructions, has also not disputed that it is a case of version and cross version, wherein both the sides received injuries at the hands of each other. However, she submits that the Spade, which was used in the crime in question, has not yet been recovered.
5. Be that as it may, since the petitioner has joined investigation and cooperated with the investigating agency, this Court, thus, deems it fit to allow the extraordinary concession of anticipatory bail to the petitioner. Accordingly, the petition is allowed and the interim order dated 24.08.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

November 29, 2023
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No