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

**CRM-M-32520-2023 (O&M)**

**Date of decision : 24.08.2023**

Manjinder Singh (wrongly mentioned as  
Harjinder Singh alias Jinder in the FIR).

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present: Mr. Lupil Gupta, Advocate,  
for the petitioner.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab.

**MAHABIR SINGH SINDHU, J.**

Petition under Section 438 of the Code of Criminal Procedure, 1973 (for short, '*the Cr.P.C.*') has been filed for grant of pre-arrest bail to the petitioner in FIR No.47 dated 10.06.2023, under Section(s) 307, 323, 148 & 149 of the Indian Penal Code, 1860; and Sections 25 & 27 of the Arms Act, 1959, registered at Police Station Sadar Moga, District Moga.

2. Above FIR was registered on the basis of statement made by one Sukhdev Singh @ Sukha with the allegations that petitioner and other co-accused gave beating to him.

3. This Court, on 12.07.2023, granted interim bail to petitioner and relevant part of the same is recapitulated as under:-

*“Contends, inter-alia, that although, there are  
allegations of firing a shot against the petitioner, but as*

*per the prosecution case itself, there is no injury to any one in this regard.*

*Notice of motion.*

*Mr. Joginder Pal Ratra, Sr. DAG, Punjab accepts notice on behalf of the respondent-State and seeks time to verify the above factual position.*

*Posted on 24.08.2023.*

*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.           Contends that in terms of the aforesaid order, petitioner has already joined investigation and his custodial interrogation is not required.

5.           Above factual position is duly acknowledged by learned State Counsel, on instructions from the police officer present in Court and further stated that custodial interrogation of the petitioner is not required at this stage.

6.           In view of above, interim order dated 12.07.2023 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 application(s), if any, shall stand disposed off.

**24.08.2023**  
*atulsethi*

**(MAHABIR SINGH SINDHU)**  
**JUDGE**

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