

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

CRM M-33953-2023 (O&M)

Date of Decision: 04.09.2023

Hargundeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Amit Dhawan, 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.181 dated 24.06.2023, under Sections 452, 323, 324, 506, 34 of Indian Penal Code, 1860 (for short “IPC”) and Section 326 IPC added later on, registered at Police Station Tanda, District Hoshiarpur.

2. Allegations against the petitioner are that the petitioner Hargundeep Singh along with his grandfather attacked Dilpreet Singh and complainant-Pawanpreet Kaur.

3. This Court vide order dated 17.07.2023, granted interim bail to petitioner and the same reads as under:-

“Contends inter alia that petitioner was juvenile on the date of alleged occurrence.

Notice of motion.

Mr. Jaiteshwar S. Bhandari, AAG, 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 04.09.2023.

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 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 ASI Darshan Singh, fairly submitted that custodial interrogation of the petitioner is not required at this stage.

6. In view of above, interim order dated 17.07.2023 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 criminal misc. application(s), if any, shall also stand disposed off.

04.09.2023

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(MAHABIR SINGH SINDHU)

JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable: Yes/No