

219-A

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

**CRM-M-35673-2023 (O&M)
Date of Decision: 11.09.2023**

Harpinder Singh @ Harbhinder Singh @ Laddi

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Tanvir Joshi, Advocate for the petitioner.

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

...

MAHABIR SINGH SINDHU, J.

1. 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.0120 dated 20.06.2023, under Sections 382, 365, 323 and 34 of the Indian Penal Code, 1860, registered at Police Station Lambi, District Sri Muktsar Sahib.
2. Above FIR was registered on the basis of statement made by complainant Sajan Kumar with the allegations that petitioner along with his co-accused inflicted injuries on him.
3. This Court, vide order dated 26.07.2023, granted interim bail to petitioner and the same reads as under:-

“Contends, inter-alia, that co-accused, namely, Kamaldeep Kumar @ Kamal has already been granted interim protection by this Court vide order dated 19.07.2023 passed in CRM-M-34458-2023 (P-4).

Notice of motion for 11.09.2023.

To be heard along with CRM-M-34458-2023.

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. 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 Jaskaran 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 26.07.2023 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 also stand disposed off.

11.09.2023
Jasmine Kaur

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No