

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

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CRM-M-37874-2023 (O&M)

Date of Decision : 20.11.2023

Lakhwinder Singh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Lakhwinder Singh, Advocate for the petitioner.

Ms. Mahima Yashpal, DAG, Haryana.

ALKA SARIN, J. (ORAL)

1. This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.185 dated 13.07.2023 under Sections 323, 354-A(I)(i), 354-B, 506 and 34 of the Indian Penal Code, 1860 registered at Police Station Sadar Ratia, District Fatehabad.

2. On 04.08.2023 the following order was passed :

“This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.185 dated 13.07.2023 under Sections 323, 354-A(1)(i), 354-B, 506, 34 of the Indian Penal Code, 1860 registered at Police Station Sadar Ratia, District Fatehabad.

Learned counsel for the petitioner would contend that there were injuries received by both the parties in the

scuffle which is also apparent from the medical of the petitioner which has been appended as Annexure P-3. It is further contended that there was no molestation as alleged.

Notice of motion.

List on 20.11.2023.

Ms. Mahima Yashpal, DAG Haryana accepts notice on behalf of respondent-State of Haryana and seeks some time to get her instructions.

Meanwhile, the petitioner is directed to join investigation as and when called for. In the event of arrest, the petitioner shall be admitted to interim bail on furnishing personal bonds with adequate surety to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.”

3. Learned counsel for the petitioner would contend that pursuant to the said order, the petitioner had joined investigation and has fully cooperated.

4. Learned counsel for the State, on instructions from ASI Salochana has stated that the petitioner has since joined investigation and has fully cooperated and that he is no longer required for further custodial interrogation as of now.

5. In view of the above, the order dated 04.08.2023 is made

absolute. The petitioner shall, however, join investigation as and when called. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

6. Disposed off accordingly. Pending applications, if any, also stand disposed off.

20.11.2023*Deepak Patwal***(ALKA SARIN)
JUDGE**

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No