

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

212

2023:PHHC:145683

CRM-M-38215-2023

Date of decision: November 16th, 2023

Kulwinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

Ms. Kanica Sachdeva, Assistant Advocate General,
Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case bearing DDR No.35 dated 29.09.2022 under Sections 323, 324, 341, 148, 149 of IPC (Section 326 IPC added later on) in FIR No.117 dated 28.09.2022 under Sections 323, 325, 336, 506, 148, 149 of IPC and Section 25 of the Arms Act registered at Police Station Dirba, Sangrur.

2. Vide order dated 07.08.2023, the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the petitioner submits that it is a case of version and cross-version, wherein injuries were received by both the sides. He further submits that a fabricated case having been planted upon the petitioner is further evident from the fact that the DDR in which the petitioner has been made an accused was recorded after 2 days of the alleged occurrence and even therein, he has not been attributed any grievous injury but only a simple injury

with a danda on the left thigh of the injured.”

3. Learned counsel for the petitioner submits that in compliance of order dated 07.08.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. She submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 07.08.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

November 16th, 2023
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No