

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

**CRM-M-38446-2023 (O&M)
Date of decision : 03.10.2023**

Bhupinder Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Ripudaman Singh Brar, Advocate for the petitioner.

Mr. Jaiteshwar S. Bhandari, AAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

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.31 dated 16.06.2023, under Sections 307, 324, 506, 148, 149 of the Indian Penal Code, 1860 (Section 307, IPC deleted later on); Sections 25 & 27 of the Arms Act, 1959, registered at Police Station Arif Ke, District Ferozepur.

(2) Above FIR was registered on the basis of statement made by complainant-Jarnail Singh with the allegations that petitioner, armed with revolver; along with other co-accused, namely, Gurjant Singh @ Bhatti,

armed with Kirpan; Jaswant Singh @ Jasu, armed with Kappa; Baljeet Singh @ Khandi, armed with wooden stick; Ranjit Singh @ Toti, armed with Kappa; Gurpreet Singh, armed with Baseball; Ajay, armed with country made pistol and Harjinder Singh @ Jindi, armed with Gandaasa, along with 2/3 unknown persons inflicted injuries to the complainant party. On seeing the persons gathered at the spot, all the accused fled away along with their respective weapons.

(3) This Court, vide order dated 07.08.2023, granted interim bail to the petitioner and which reads as under:-

“Contends inter-alia that during investigation, Police has deleted offence under Section 307 IPC.

Notice of motion 12.09.2023.

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 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 Ranjeet Singh, also acknowledged that petitioner has joined investigation and as on today, his custodial interrogation is not required.

(6) In view of above, interim order dated 07.08.2023 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.

October 3rd, 2023
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>