

CRM-M-39212-2023 (O&M)

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206 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39212-2023 (O&M)

Date of decision : 07.11.2023

Sachin Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present : Mr. Aayush Gupta, Advocate,
for the petitioner.

Mr. C.L.Pawar, Additional Advocate General, Punjab,
for the respondent.

MAHABIR SINGH SINDHU, J.

Petition under Section 438 of the Code of Criminal Procedure, 1973, has been filed for grant of pre-arrest bail to the petitioner in FIR No.271 dated 12.06.2023, under Sections 323, 341, 506 and 34 of the Indian Penal Code, 1860, (Sections 379-B and 411 IPC were added later on) registered at Police Station Division No.7, District Police Commissionerate, Ludhiana.

2. Above FIR was registered on the basis of statement made by one Harvinder Singh with the allegations that petitioner as well as two other persons caused injuries to him and his brother; snatched Rs.40,000/- and his motorcycle.

3. This Court, on 10.08.2023, granted interim bail to petitioner and relevant part of the same is recapitulated as under:-

“Contends inter-alia that this is a no injury case.

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Notice of motion for 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. Contends that in terms of the aforesaid order, petitioner has already joined investigation and his custodial interrogation is not required.
5. Above factual position is duly acknowledged by learned State Counsel, on instructions from the police official, and further stated that custodial interrogation of the petitioner is not required at this stage.
6. In view of above, interim order dated 10.08.2023 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.

07.11.2023
adhikari

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No