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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-42031-2022 (O&M)

Date of decision : 24.07.2023

Sawanjit Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. G.S. Sirphikhi, Advocate for the petitioner.

Mr. Adhiraj Singh Thind, AAG Punjab.

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 cross-case under Sections 323, 324, 326, 354, 354-B, 148, 149 of Indian Penal Code, 1860 (IPC) registered vide GD No.31 dated 28.05.2020 in FIR No.94 dated 26.05.2020 under Sections 323, 324, 326, 354, 354-B, 148, 149 IPC at Police Station Ghoman, Police District Batala.

2. On 14.09.2022 the following order was passed:-

“Counsel for the petitioner submits that it is a case of version and cross-version. By referring to the allegations levelled, he submits that petitioner is alleged to have caught hold of complainant's wife by wrist and instigated the co-accused. Reliance has been placed

upon the order dated 01.08.2022 passed in CRM-M-8701 of 2022, whereby, interim anticipatory bail granted to co-accused, has been made absolute.

Notice of motion.

On asking of the Court, Mr. P.S.Grewal, DAG, Punjab accepts notice on behalf of respondent-State. Upon instructions from ASI Gurmukh, he submits that during investigation, no material has been found against the petitioner to establish the offence of outraging the modesty.

List on 30.01.2023.

Meanwhile, the petitioner shall join the investigation on 26.09.2022 at 11.00 a.m., at Police Station Ghuman, District Batala and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438(2) Cr.P.C. To be heard alongwith CRM-M-33413 of 2022.”

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

4. Learned counsel for the State, on instructions from ASI Balbir Singh, 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 14.09.2022 is made absolute. The petitioner shall, however, join investigation as and when

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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.

24.07.2023

Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO