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

CRM-M-41623-2023 (O&M)

Date of decision : 21.09.2023

Gurpreet Singh @ Gurpreet Singh Bhullar

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Gurmeet Singh Saini, Advocate
for the petitioner.

Mr. Amish Sharma, AAG, Punjab.

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 DDR No.034 dated 01.08.2023, under Sections 452, 323, 427, 336, 148, 149 (Section 326 added subsequently) of the Indian Penal Code, 1860 (for short, '*the IPC*'); Sections 25 & 27 of the Arms Act, 1959; in FIR No.0097 dated 01.08.2023, registered at Police Station City Zira, District Ferozepur.

2. Allegations against the petitioner are that he along with other co-accused caused injuries to the complainant/party.

3. Short reply filed by way of affidavit of Mr. Gurdeep Singh, PPS, Deputy Superintendent of Police, Zira, District Ferozepur, dated 21.09.2023, is taken on record. Copy thereof supplied to the opposite side.

Registry to tag the same at appropriate place.

4. This Court, on 28.08.2023, granted interim bail to petitioner and relevant part of the same is recapitulated as under:-

“Contends inter alia that this is no injury case.

Learned State Counsel seeks time to file short affidavit in the matter.

Posted for 21.09.2023.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of arrest, the Arresting Officer would admit him to interim bail in the present case, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

5. Contends that in terms of the aforesaid order, petitioner has already joined investigation and his custodial interrogation is not required.

6. Above factual position is duly acknowledged by learned State Counsel, on instructions from the police officer present in Court and further stated that custodial interrogation of the petitioner is not required at this stage.

7. In view of above, interim order dated 28.08.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

8. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

9. Needless to say that in case, there is any misuse of the concession of bail by the petitioner, State of Punjab shall be at liberty to move an application for recalling of this order.

10. 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.
11. Disposed off accordingly.

21.09.2023

(MAHABIR SINGH SINDHU)

jasmine kaur

JUDGE

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