

212 2023:PHHC:141394
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRM-M-42574-2023
Date of decision: 06.11.2023

MAHER SINGH

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Ritesh Pandey, Advocate for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA J. (ORAL)

On 28.08.2023, the following order was passed by this Court:-

“Through the instant petition under Section 438 Cr.P.C, the petitioner seeks anticipatory bail in case bearing FIR No.48 dated 22.02.2023, registered under Sections 307, 325, 323, 324, 326, 120-B, 148, 149 IPC, at Police Station Civil Lines, District Batala.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case, that it is a land dispute, that the petitioner was not named in the FIR and he was named by the complainant in his supplementary statement recorded on 07.03.2023 Le. after 15 days of the registration of the FIR; that two injuries with other side of the Datar ie. one on the left forearm and other on the right leg of the complainant have been attributed to the petitioner and are grievous in nature but the fact remains that co-accused Prem Singh, who was specifically named in the FIR and the injury under Section 326 IPC also attributed to him, has already been granted the concession of anticipatory bail.

Notice of motion for 06.11.2023.

Learned counsel for the complainant submits that there are total 13 injuries on the person of the complainant, out of which 08 injuries have been declared grievous in nature.

Meanwhile, the petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.

However, anticipatory bail, granted while exercising the judicial discretion, should not operate as an inroad into the statutory investigational power of the police.”

Today, on instructions from ASI Tarsem Lal, learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 28.08.2023 and is no longer required for further investigation.

In view of the aforesaid, the order dated 28.08.2023, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

Disposed of.

(DEEPAK GUPTA)
JUDGE

November 06, 2023
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- (i) Whether speaking/reasoned: Yes/No
- (ii) Whether reportable: Yes/No