

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.43187 of 2023
Date of decision: 30th November, 2023

Kamaljeet Singh @ Cheena

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Varun Gupta, Advocate for
Mr. Ashish Gupta, Advocate for the petitioner.

Ms. Kanica Sachdeva, Asst. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.0040 dated 07.06.2022 registered under Sections 458, 324, 34 of the IPC (Section 459 IPC added later on) at Police Station Baja Khana, District Faridkot.

2. On 31.08.2023, while noticing the following submissions made by learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Learned counsel for the petitioner, while drawing the attention of this Court to the allegations levelled in the FIR, which has been reproduced in the body of the petition, submits that it is evident that the petitioner was not inside the house when the occurrence in question took place nor

had he been attributed any injury on the complainant. He submits that as per the allegations levelled, it was only when co-accused Soni Singh allegedly fled after inflicting injury on the jaw of complainant with a kappa, the complainant saw the petitioner standing outside his house in the street, waiting for the co-accused.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 31.08.2023, the petitioner has joined investigation and cooperated with the investigating agency.
4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. She, on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.
5. In the circumstances, the petition is allowed and the interim order dated 31.08.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

November 30, 2023
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No