

214 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-46800 of 2022(O&M)

Date of Decision: 24.01.2023

Bhagwan Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Ms. Satwant Mehta, Advocate
For the petitioner.**

Mr. C.L. Pawar, Addl. AG Punjab.

**Mr. Ranjodh Singh Sidhu, Advocate
For the complainant.**

KARAMJIT SINGH, J.

The present petition has been filed by the petitioner under Section 438 Cr.P.C. seeking anticipatory bail in case having FIR No. 032 dated 28.04.2022, registered under Sections 307, 323, 324, 427, 447, 506, 511, 148 and 149 IPC at Police Station Valtaha, District Tarn Taran.

The counsel for the petitioner submits that the petitioner has joined the investigation with the police by virtue of the previous order of interim bail dated 12.10.2022.

The State counsel on instructions from ASI Shavinder Pal has not disputed the aforesaid assertions made by the counsel for petitioner and further submits that the recovery of the weapon used by the petitioner in commission of crime stands effected and after completion of investigation the police has presented the challan and that now the petitioner is not required by the police for any further investigation or custodial interrogation.

However, the present petition is contested by the counsel for the complainant who submits that the petitioner caused injury on the left side of head of complainant Ravinder Singh.

In view of the fact that the recoveries are already effected and that the petitioner is not required by the police for any further investigation as challan stands presented on completion of the investigation, no purpose is going to be served by subjecting the petitioner to custodial interrogation at this point of time.

For the foregoing reasons, without commenting on the merits of the case, the present petition is allowed and the order of interim bail dated 12.10.2022 is made absolute. The petitioner should abide by the conditions as envisaged under Section 438(2) Cr.P.C.

24.01.2023
Jiten

(KARAMJIT SINGH)
JUDGE

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