

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:152211
CRM-M-44773-2023
Date of Decision: November 30, 2023

Sahib Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. G.S. Randhawa, Advocate for
Mr. J.S. Mahal, Advocate for the petitioner.

Mr. R.S. Khaira, DAG, Punjab.

Mr. Srbjit Singh, Advocate for the complainant.

DEEPAK GUPTA, J.(Oral)

On 06.09.2023, the following order was passed by this
Court:-

“Through the instant second petition, the petitioner seeks anticipatory bail in case bearing FIR No.82 dated 25.07.2023, registered under Sections 451, 323, 324, 34 IPC, at Police Station Sultanwind, District Police Commissionerate, Amritsar. Learned counsel for the petitioner submits that the petitioner has falsely been involved in the present case; that there is a delay of 14 days in lodging the FIR, inasmuch as, the alleged occurrence took place on 11.07.2023, whereas the FIR was registered on 25.07.2023; that the complainant is running a shop in the name and style of Guru Kipra Cloth House; that earlier the said firm was in partnership of the petitioner and the complainant but later on the said partnership was dissolved; that, it was the complainant and his associates, who have attacked the petitioner; that a datar blow on the right side of the head of the complainant is alleged to have been attributed to the petitioner and that the Doctor concerned has declared injury No.1 as doubtful injury.

Notice of motion.

On the asking of this Court, Mr. Hakam Singh, AAG Punjab, accepts notice on behalf of the respondent-State.

At this stage, Mr. Sarbjit Singh, Advocate appears and files power of attorney on behalf of the complainant. The same is taken on record.

Adjourned to 30.11.2023.

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 Baldev Singh, learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 06.09.2023 and is no longer required for further investigation.

In view of the aforesaid, the order dated 06.09.2023, 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.

November 30, 2023

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(DEEPAK GUPTA)
JUDGE

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