

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

**CRM-M No.47693 of 2023 (O&M)
Date of decision : 20.12.2023**

Jatinder Kumar

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Harjinder Singh, Advocate for the petitioner.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab
for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of pre-arrest bail to the petitioner in FIR No.68 dated 25.06.2023 (P-1), under Sections 323, 452, 506 read with Section 34 of the Indian Penal Code, 1860 (Section 307 IPC added later on), registered at Police Station, Jalandhar Cantt., District Jalandhar.

(2) Above FIR was registered on the basis of statement made by complainant-Balwinder Pal with the allegations that petitioner, along with other co-accused, inflicted multiple injuries to him with deadly weapons.

(3) This Court, on 02.11.2023, granted interim bail to petitioner and the same reads as under:-

“Learned counsel for petitioner contends that injury attributed to the petitioner has been declared as simple in nature.

Learned State counsel seeks time to file a short affidavit.

Posted on 20.12.2023.

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

(4) Status Report by way of an affidavit dated 14.12.2023 of Sh. Harshpreet Singh, Assistant Commissioner of Police, Sub Division-V, Cantonment Jalandhar has also been filed. The same is taken on record. Copy thereof supplied to the opposite side.

(5) Learned Counsel submits that in pursuance of the aforesaid order, petitioner has already joined the investigation and his custodial interrogation is not required.

(6) Learned State Counsel, on instructions, submits that petitioner has joined investigation and as on today, his custodial interrogation is not required.

(7) In view of above, interim order dated 02.11.2023 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) 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.
- (10) Disposed off accordingly.
- (11) Pending application(s), if any, shall also stand disposed off.

20th December, 2023
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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