

209 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48393-2023

Date of decision: 05.12.2023

SUKHDEV SINGH

...PETITIONER

V/S

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Gaurav, Advocate for
Mr. P.S. Sekhon, Advocate for the petitioner.

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

DEEPAK GUPTA J. (ORAL)

On 25.09.2023, the following order was passed by this Court:-

“Through the instant petition, the petitioner seeks anticipatory bail in case bearing FIR No.81 dated 28.07.2023, registered under Sections 307, 323, 506, 34 IPC, at Police Station Dehlon, District Ludhiana.

Learned counsel for the petitioner submits that there is a delay of 5 days in lodging the FIR, inasmuch as, the alleged occurrence took place on 23.07.2023, whereas the FIR was registered on 28.07.2023 and that only two stick blows on the knee of the injured/victim have been attributed to the petitioner, which are not on a vital part.

Notice of motion.

On the asking of this Court, Mr. CL Pawar, Additional AG Punjab, accepts notice on behalf of the respondent-State.

Adjourned to 05.12.2023.

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 Cr.P.C.. 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 Bhupender Singh, learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 25.09.2023 and is no longer required for further investigation.

In view of the aforesaid, the order dated 25.09.2023, 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.

December 05, 2023
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(DEEPAK GUPTA)
JUDGE

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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |