

212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49652-2023
Date of decision: 17.11.2023

VIJAY KUMAR

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Ms. Rashika Bansal, Advocate for the petitioner.

Ms. Ruchika Sabharwal, DAG, Punjab.

VIVEK PURI, J. (ORAL)

1. Petitioner is seeking anticipatory bail in the case bearing FIR No.177 dated 29.08.2023 under Sections 354, 325, 323, 148 and 149 IPC registered at P.S. City Gurdaspur.
2. On 03.10.2023, the following order was passed by the Coordinate Bench:-

"Inter alia contends that it is a case of version and cross-version where both the parties indulged in counter aggression and family members of both the parties suffered injuries. Further submits that alleged role attributed to the petitioner is that he gave a stick blow which hit left little finger of Jivanjyoti (complainant) wife of Kundan Kumar who are both husband and wife. He further submits that even aged parents of petitioner also suffered injuries in the process.

Notice of motion.

Learned State counsel, on advance service of petition, accepts notice on behalf of respondent-State of Punjab and seeks time to file status report, including antecedents of the petitioner.

Post it on 03.10.2023. (Corrected as 30.10.2023 in terms of order dated 07.10.2023)

Meanwhile, petitioner shall join investigation as and when required by the investigating agency and subject to his reporting to investigating officer within two weeks from today, no coercive steps qua arrest of the petitioner shall be taken. In case, his arrest is required to be caused, petitioner shall be released on bail by Arresting Officer till the next date of hearing, on furnishing adequate personal bonds to his satisfaction.

Petitioner shall also abide by all the conditions as

envisaged under Section 438(2) of Code of Criminal Procedure, 1973”.

3. Learned counsel for the petitioner contends that the petitioner has joined the investigation in pursuance of interim directions.

4. On instructions from ASI Sarabjit, learned State counsel has not dispute the aforesaid factual aspect and also submits that the custodial interrogation of the petitioner is not required.

5. In view of the aforesaid submissions, the order dated 3.10.2023 granting interim bail to the petitioner is made absolute.

6. The petition is allowed.

17.11.2023
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(VIVEK PURI)
JUDGE

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