

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

218-B

CRM-M-49640-2023 (O&M)

Date of Decision : 11.12.2023

Karandeep Singh @ Karanbir Singh

..... Petitioner(s)

Versus

State of Punjab

..... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Abhishek Thakur, Advocate for
Mr. Amandeep Singh Manaise, Advocate for the petitioner.

Mr. Harjinder Singh Sidhu, AAG Punjab.

ALKA SARIN, J. (ORAL)

1. This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.51 dated 23.08.2023 registered under Sections 323, 324, 354, 354-B, 148 & 149 of Indian Penal Code, 1860 (Section 326 of IPC added later on) at Police Station Kotli Surat Malhi, Police District Batala, District Gurdaspur.

2. On 12.10.2023 the following order was passed :

“CRM No.42518 of 2023

This application has been moved on behalf of the applicant-petitioner for seeking the amendment in the head-note and also the prayer clause of the main petition by way of adding the offence under Section 326 IPC therein, while averring that the above-said offence

has been invoked in the case subsequently vide the GD No.25 dated 27.09.2023.

Notice in the application.

Mr. Virat Rana, learned Assistant Advocate General, Punjab, who has appeared in this case in pursuance of the copy of the instant application having been sent to the respondent-State in advance, accepts the notice.

Heard.

Keeping in view the reasons as mentioned in the present application, the same is allowed as prayed for.

The Registry is directed to do the needful accordingly at the earliest possible.

CRM-M No.49640 of 2023

The petitioner herein seeks the relief of pre-arrest/anticipatory bail in the criminal case arisen out of the FIR bearing No.51 dated 23.08.2023 registered at Police Station Kotli Surat Malhi, Police District Batala, District Gurdaspur, under Sections 323, 324, 354, 354-B, 148 & 149 IPC (wherein the offence under Section 326 IPC is stated to have been added later-on).

Learned counsel for the petitioner, inter-alia, contends that the petitioner has been got falsely implicated in the criminal case under reference merely for the reason that he happens to be the son of the maternal-uncle of the

deceased husband of the complainant whereas, in fact, he had no role to play in the alleged occurrence and even otherwise, the injury, attracting the offence under Section 326 IPC in the afore-said case, is attributed to the co-accused of the petitioner named Malkeet Singh and moreover, the petitioner is ready and willing to join in the investigation as and when so required by the Investigating Agency and is also not involved in any other criminal case.

Notice of motion.

Learned State counsel accepts the notice and he seeks time to get proper and complete instructions qua this matter from the quarter concerned and if deemed necessary, then to file the Status-Report also.

Mr. Varun Goyal, Advocate, has also put in appearance on behalf of the complainant in this case and has submitted his Power of Attorney in the Court today and the same has been placed on the file.

Adjourned to 24.11.2023, for being listed along-with the connected matter bearing CRM-M No.45517 of 2023.

Meanwhile, the petitioner shall join in the investigation on 26.10.2023 at 10:00 AM sharp and if there need be, even thereafter and in the event of his arrest, he shall be released on interim bail subject to his furnishing the requisite personal and surety bonds to the satisfaction of

the Arresting/Investigating Officer and he shall also strictly abide by all the conditions as laid down in Section 438(2) Cr.P.C.”

3. Learned counsel for the petitioner would contend that pursuant to the said order the petitioner has joined investigation and has fully cooperated.

4. Learned counsel for the State on instructions from ASI Kulwant Singh has stated that the petitioner has since joined investigation and has fully cooperated and that he is no longer required for further custodial interrogation as of now.

5. In view of the above, the order dated 12.10.2023 is made absolute. The petitioner shall, however, join investigation as and when called. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

6. Disposed off accordingly. Pending applications, if any, also stand disposed off.

11.12.2023

Deepak Patwal

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO