

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

2023:PHHC:058939

CRM-M-52472-2022

Date of Decision: 26.04.2023

**AMANDEEP SAMRA ALIAS HAPPY**

**... PETITIONER**

**V/S**

**STATE OF PUNJAB**

**... RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE VIVEK PURI**

Present: Mr. Monty Goyal, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG Punjab.

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**VIVEK PURI, J. (ORAL)**

1. On 15.11.2022, the Co-ordinate Bench of this Court had passed the following order:

“Apprehending his arrest in FIR No.111 dated 08.10.2022, registered under Sections 323/324/326/148/149/120-B IPC at Police Station Bilga, District Jalandhar, petitioner seeks pre-arrest bail.

Learned counsel for the petitioner submits that the petitioner was not present on the scene of crime. Apart from bald allegation that the petitioner hatched the conspiracy and the complainant was assaulted on the directions of the petitioner, there is nothing on record to implicate the petitioner. He further submits that the petitioner and the complainant are real brothers and the present FIR is a result of continuous feud among the brothers.

Notice of motion returnable for 27.03.2023.

On the asking of the Court, Mr. Arun Gupta, AAG, Punjab, appears and accepts notice on behalf of the respondent-State.

Mr. Harkirat Singh Sandhu, Advocate has entered appearance on behalf of the complainant. He does not dispute the fact that the petitioner was not present at the scene of occurrence. However, he reiterates that it is the petitioner only who hatched the conspiracy and got murderous attack affected on the complainant.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the arresting officer/Investigating Officer. As and when called, the petitioner shall join the investigation. He shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C. ”

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

3. Learned State counsel, on instructions from ASI Satpal Singh, has not disputed the aforesaid factual aspect and further submitted that the custodial interrogation of the petitioner is not required.

4. Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 15.11.2022 is made absolute.

**26.04.2023**

Janki

**(VIVEK PURI)**  
**JUDGE**

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