

208 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54257-2022
Date of Decision: 24.01.2023

ATUL KUMAR @ ATUL SHARMA @ KUDA ... PETITIONER
V/S
STATE OF PUNJAB ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. L.M.Gulati, Advocate for the petitioner.
Ms. Ruchika Sabherwal, DAG Punjab.

* * * *

VIVEK PURI, J. (ORAL)

Petitioner is seeking anticipatory bail in case bearing FIR No. 244 dated 08.11.2021 under Sections 307, 148, 149, 427 IPC & Sections 25/27 of Arms Act, registered at Police Station Division 'A' Amritsar, District Amritsar.

On 22.11.2022, the Co-ordinate Bench of this Court had passed the following order:

“Inter alia contends that in the present case, a fight broke out between two groups, the petitioner belonged to one group and Sahil Mehra @ Sahil @ Petha belonged to the other group and in the present case neither any complaint has been filed by any person nor any injury has been caused to any person. It is submitted that there is no specific attribution against the present petitioner and Sahil Mehra @ Sahil @ Petha, who belongs to the other group, has filed a petition for grant of anticipatory bail and a Coordinate Bench of this Court vide order dated 29.07.2022, was pleased to allow the said petition for grant of anticipatory bail.

Notice of motion for 24.01.2023.

In the meantime, in the event of arrest, the petitioner is ordered to be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting / Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C. ”

Learned counsel for the petitioner contends that in pursuance of

the interim directions, the petitioner has joined the investigation.

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

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 22.11.2022 is made absolute.

24.01.2023

Janki

(VIVEK PURI)
JUDGE

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