

2023:PHHC:053281

208 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-55802-2022

Date of Decision: 18.04.2023

HARPREET SINGH

..... PETITIONER

VS

STATE OF PUNJAB

..... RESPONDENT

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Nimish Gautam, Advocate for
Mr. Dheeraj Mahajan, Advocate for the petitioner.

Ms. Himani Arora, AAG, Punjab.

GURBIR SINGH, J. (ORAL)

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The prayer in the present petition filed under Section 438 Cr.P.C is for grant of anticipatory bail to the petitioner in case FIR No.121, dated 03.10.2022, under Sections 328, 34 of IPC, registered at Police Station Rangar Nangal, Police District Batala, District Gurdaspur.

On 06.01.2023, the following order was passed:-

“Prayer in the present petition is for grant of pre-arrest bail to the petitioner in case bearing FIR No.121, dated 03.10.2022, under Sections 328, 34 of IPC, registered at police station Rangar Nangal, Police District Batala, District Gurdaspur.

Status report by way of an affidavit of Gurinderbir Singh, PPS, Deputy Superintendent of Police, Sub Division, Sri Hargobindpur, Police District Batala on behalf of the respondent-State has been filed today in the Court and the same is taken on record. Copy thereof has been supplied to the counsel opposite.

The case in question was registered after inquiry, the petitioner has joined the pre-registration inquiry regularly.

Sarabjit Kaur was taken to the hospital on 29.08.2021 and discharged on 02.09.2021. As per Annexure P-2, the petitioner also took some poisonous substance on 02.09.2021 and intimation was sent to SHO, Police Station Rangar Nangal by the EMO, Civil Hospital, Batala. The police registered the FIR after a long delay being suspected case of poisoning.

The petitioner is 60% handicapped and apparently no recovery is to be effected from him at this stage.

Adjourned to 18.04.2023.

Meanwhile, in the eventuality of arrest of the petitioner in the instant case, he shall be enlarged on interim bail subject to his furnishing personal bond/surety bond to the satisfaction of Investigating Officer/Arresting Officer. The petitioner shall join the investigation as and when called upon to do so by the Investigating Agency. The petitioner shall abide by the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit. “

Learned State counsel, on instructions from ASI Amarjit Singh (2685) Batala submits that in compliance of the order dated 06.01.2023, the petitioner has already joined the investigation and he is not required for any custodial interrogation.

In view of above, the order dated 06.01.2023 granting interim bail to the petitioner, is made absolute. The petitioner shall abide by the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.

Petition is disposed of accordingly.

18.04.2023

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**(GURBIR SINGH)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*