

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

**CRM-M No.53585 of 2023 (O&M)
Date of decision : 05.12.2023**

Inderjeet Singh

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Ankush Rampal, Advocate for the petitioner.

Mr. C.L.Pawar, Addl. A.G., Punjab for the respondent.

Mr. Vaibhav Narang, Advocate for
Mr. K.D.Sharma, Advocate for respondent Nos.2 & 3.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of pre-arrest bail to the petitioner in FIR No.248 dated 03.09.2022 (P-1), under Sections 323, 341 of the Indian Penal Code, 1860 (Sections 308 & 325 IPC added later on), registered at Police Station Phillaur, District Jalandhar.

(2) Above FIR was registered on the basis of statement made by respondent No.2-Balvir Kaur with the allegations that petitioner gave spade

blows on the person of her son-Manpreet Singh and later on, one of the injuries was declared dangerous in nature.

(3) This Court, while issuing notice of motion on 20.10.2023, granted interim bail to petitioner and the same reads as under:-

“Contends inter alia that parties are related to each other and moreover, matter has been settled at their own level.

Notice of motion.

On asking of the Court, Mr. Joginder Pal Ratra, Sr. D.A.G., Punjab accepts notice on behalf of respondent-State and Mr. K.D. Sharma, Advocate accepts notice on behalf of respondents no.2 and 3. Learned State counsel seeks time to have instructions and/or file written response in the matter.

Posted for 05.12.2023.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

(4) Learned Counsel submits that in pursuance of the aforesaid order, petitioner has already joined the investigation and his custodial interrogation is not required.

(5) Learned State Counsel, on instructions from ASI Jasvinder Singh, submits that petitioner has joined investigation and as on today, his custodial interrogation is not required.

(6) On the other hand, learned Counsel for the complainant vehemently opposed the prayer of petitioner. Since learned State Counsel is

not asking for custodial interrogation of petitioner, therefore, the objection raised by learned Counsel for the complainant is overruled; hence, rejected.

(7) In view of above, interim order dated 20.10.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(8) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

(9) The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

(10) Disposed off accordingly.

(11) Pending application(s), if any, shall also stand disposed off.

December 5, 2023
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No