

212-A **IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM M-54679-2023
Date of Decision: 19.12.2023

Dharampreet Singh @ Kalu Petitioner

Versus

State of Punjab Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. B.S. Jaswal, Advocate
 for the petitioner.

Mr. Joginder Pal Ratra, Sr. DAG., Punjab.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short “Cr.P.C”) for grant of pre-arrest bail to the petitioner in FIR No. 119 dated 31.07.2023, under Sections 452, 323, 325, 427, 148 read with Section 149 IPC registered at Police Station Kamboj, District Amritsar.

2. Allegations against the petitioner are that he along with other co-accused entered into the house of the complainant and inflicted injuries to the complainant with *dang/danda*.

3. This Court vide order dated 02.11.2023, granted interim bail to petitioner and the same reads as under:-

“Contends inter alia that co-accused with similar allegations has already been granted the interim protection.

Notice of motion.

On asking of the Court, Mr. C.L. Pawar, Addl. A.G., Punjab accepts notice on behalf of the respondent and seeks time to have instructions and/or file written response in the matter.

Posted for 19.12.2023.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his 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 is also directed to abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973

To be heard along with CRM-M-54557-2023."

4. Learned counsel for the petitioner submits that in pursuance of the aforesaid order, he joined investigation and his custodial interrogation is not required by the Police.
5. The above factual position is duly acknowledged by learned State Counsel, on instructions from ASI-Inderjit Singh and fairly submitted that custodial interrogation of the petitioner is not required at this stage.
6. In view of above, interim order dated 02.11.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
7. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
8. 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.
9. It is made clear that in case of any recurrence on the part of the appellant, the State would be at liberty to move an application for recalling of this order.
10. Disposed off accordingly.
11. Pending criminal misc. application(s), if any, shall also stand disposed off.

19.12.2023

Harish Kumar

**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>