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2023:PHHC:052405

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-58412-2022

Date of Decision: 17.04.2023

MALKEET SINGH

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. L.S.Sidhu, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J.(ORAL)

On 15.12.2022, the following order was passed by the
Coordinate Bench of this Court:-

“Apprehending his arrest in FIR No.56 dated 17.09.2022, registered for offences punishable under Sections 452, 353, 186, 506, 34 of the Indian Penal Code, 1860 at Police Station Jaurkian, District Mansa, the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

Ld. Counsel for the petitioner *inter alia* contends that even though the allegation against the petitioner is that he entered the school premises with open sword yet it is not a case where any injury has been caused to anyone. He further submits that son of the petitioner is student of the school and the purpose of the visit of the petitioner was to complain about certain occurrence, the petitioner has been falsely implicated with an exaggerated version.

Issue notice of motion, returnable for 17.04.2023.

On asking of the Court, Mr. Sarabjit S. Cheema, Dy. Advocate General, Punjab appears and accepts notice

on behalf of the respondent/State.

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.”

Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Raj Kumar, has not disputed the aforesaid factual aspects and further submits that custodial interrogation of the petitioner is not required.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioners. Accordingly, order dated 15.12.2022, vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

17.04.2023
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(VIVEK PURI)
JUDGE

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