

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

207-B

CRM-M-225-2024

Date of Decision: 08.02.2024

Karnail Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Nitin Narula, Advocate for the petitioner.

Mr. Kunwarbir Singh, AAG, Punjab.

NIDHI GUPTA, J. (ORAL)

The petitioner has filed the present 1st petition under Section 438 Cr.P.C. seeking anticipatory bail in cross-case bearing GDR No. 019 dated 10.09.2022 registered under Sections 323, 324, 354, 452, 506 read with Section 34 IPC (Section 326 was added later on) in a criminal case arising out of FIR No. 0112 dated 09.09.2022 registered under Sections 323, 354, 452, 506 read with Section 34 IPC at Police Station Bhindi Saidan, District Amritsar (Rural).

On 11.01.2024, when this case was listed for hearing, following order has been passed by a co-ordinate Bench of this Court:-

“1. Petitioner is seeking anticipatory bail in cross case GDR No. 019 dated 10.09.2022, under Sections 323/324/354/452/506/34 IPC, 1860 (Section 326 IPC added later on) in case bearing FIR No.112 dated 09.09.2022, registered under Sections 323/354/452/506/34 IPC, 1860 at

Police Station Bhindi Saidan, District Amritsar Rural.

2. *Learned counsel for the petitioner contends that the injury attributed to the petitioner is on the right arm of Bittu Singh. It is a case of version and crossversion. The injured has been discharged from the hospital. The co-accused, namely, Sinder Kaur @ Shinder Kaur and Bholi @ Rajji have been granted concession of interim bail by the Co-ordinate Bench of this Court. There is a delay of 23 days in reporting the matter to the police.*

3. *Notice of motion.*

4. *Ms. Ruchika Sabherwal, DAG, Punjab accepts notice on behalf of the respondent-State and submits that the injury on the person of injured falls under Section 326 IPC. She seeks time to get detailed instructions and submit reply in the matter.*

5. *Adjourned to 08.02.2024.*

6. *Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he joins the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.*

7. *To be heard along with CRM-M-65485-2023."*

Learned counsel for the petitioner submits that in compliance of the order dated 11.01.2024 passed by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Lakhwinder Singh, states that in terms of the order passed by this Court, reproduced above, the petitioner has joined the investigation; and is co-operating with the investigating agency, and no further interrogation is required, at this stage.

In view of the above, the order dated 11.01.2024 granting

interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join the investigation and cooperate with the investigating agency in case he is required for the same in future as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

08.02.2024

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(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No