

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

215

CRM-M-772-2024

Date of decision: 06.02.2024

Surjit Singh

....Petitioner

V/s

State of Punjab

....Respondent

CORAM: HON’BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Vikasdeep Singh, Advocate for the petitioner.

Mr. Hemant Aggarwal, AAG Punjab.

SUMEET GOEL, J. (Oral)

1. Present petition has been filed under Section 438 of Code of Criminal Procedure, 1973 (for short ‘Cr.P.C.’) for grant of anticipatory bail to the petitioner in case FIR No.244 dated 02.12.2023, under Sections 323, 324, 354, 148, 149 & 506 IPC registered at Police Station Sultanpur Lodhi, District Kapurthala.

2. On 09.01.2024, the following order was passed:-

“Apprehending his arrest in FIR No.244 dated 02.12.2023 registered for offences punishable under Sections 323, 324, 354, 148, 149 & 506 IPC, 1860 (Section 326 of IPC added subsequently) at Police Station Sultanpur Lodhi, District Kapurthala, the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

Inter alia contends that the petitioner is aged about 59 years; the case in hand is of version and cross version, the petitioner is willing to join investigation and cooperate therewith

Notice of motion.

On asking of the Court, Mr. Adhiraj Singh Thind, AAG, Punjab, appears and accepts notice on behalf of the respondent-State.

Adjourned to 06.02.2024.

The petitioner is directed to appear before the Investigating Officer on 17.01.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the

satisfaction of the Arresting Officer/Investigating Officer.As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 438(2) of the Cr.P.C.”

3. Learned State counsel, on instructions from ASI Harish Kumar, has stated that pursuant to the order dated 09.01.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.
4. In view of the above, the interim order dated 09.01.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
5. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.
6. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 438(2) Cr.P.C., 1973 or upon showing any other sufficient cause.
7. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

February 06, 2024
Ajay

Whether speaking/reasoned:Yes/No

Whether reportable:Yes/No