

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

**CRM-M-1010-2024 (O&M)
Date of decision : 15.02.2024**

Jaskaran Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Krishan Kanha, Advocate for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana for the respondent.

None for the complainant.

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.07 dated 28.01.2023, under Sections 323, 324, 148 read with Section 149 of the Indian Penal Code, 1860 (Sections 325 & 326 IPC added later on), registered at Police Station Mehatpur, District Jalandhar.

(2) Above FIR was registered on the basis of complaint made by Ajay Kumar with the allegations that petitioner, along with co-accused, gave *garari* blow on the upper lip of his friend-Jaspal Singh.

(3) This Court, while issuing notice of motion on 10.01.2024, granted interim bail to petitioner and the order reads as under:-

“Contends inter alia that injuries attributed to the petitioner are simple in nature.

Notice of motion.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State and seeks time to have instructions and/or file written response in the matter.

Posted for 15.02.2024.

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 shall also abide by all the conditions as envisaged under Section 438(2) of the 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, acknowledged that aforesaid petitioner has joined investigation and as on today, his custodial interrogation is not required.

(6) In view of above, interim order dated 10.01.2024 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 clarified that in case there is recurrence on the part of the petitioner, State would be at liberty to move an appropriate application for recalling of this order.
- (10) Disposed off accordingly.
- (11) Pending application(s), if any, shall also stand disposed off.

15th February, 2024
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	Yes