

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1683-2024(O&M)
Date of decision: 18.03.2024

Sumit Kumar
...Petitioner
Versus
State of Punjab
...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioner.
Ms. Manjot Kaur, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition under Section 438 of the Code of Criminal Procedure has been filed for grant of pre-arrest bail to the petitioner in FIR No. 286 dated 01.12.2023, under Sections 307, 353, 186, 333 of Indian Penal Code, 1860, registered at Police Station, Sahnewal, Ludhiana, District Ludhiana.

(2) Allegations are that petitioner drove the offending vehicle at exceptionally high speed surpassing the designated speed limit as recorded by speed radar being monitored by Constable-Jasvir Singh and when he was signalled to stop near the checkpoint, petitioner with the apparent intent to kill Constable-Jasvir Singh, abruptly accelerated the vehicle and collided with Constable-Jasvir Singh.

(3) There is no representation on behalf of the petitioner.

(4) Head learned State counsel and perused the paper-book.

(5) This Court on 20.02.2024, granted interim bail to the petitioner and which reads as under:-

“Contends that all the injuries attributed to petitioner are simple in nature. Also contends that there is no other criminal case pending against the petitioner.

Learned State counsel seeks time to verify the above factual position.

Posted for 18.03.2024.

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 Code of Criinal Procedure, 1973.”

(6) Learned State Counsel on instructions submits that in pursuance of aforesaid order, petitioner has joined investigation and as on today, his custodial interrogation is not required.

(7) In view of above, interim order dated 20.02.2024 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(8) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

(9) 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.

(10) It is made clear that in case of any recurrence on the part of the petitioner, the State would be at liberty to move an application for recalling of this order.

(11) Disposed off accordingly.

(12) Pending application(s), if any, shall also stand disposed off.

18.03.2024
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

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