

CRM-M-1939-2024 -1-

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-1939-2024
Date of decision: 30.07.2024

LAKHVIR SINGH @ LAKHA SIDHANAPetitioner

Versus

STATE OF PUNJABRespondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. L.S. Lakhanpal, Advocate for
Mr. Simranjit Singh, Advocate for the petitioner.

Mr. Deepender, Addl. A.G. Punjab.
.....

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 Cr.P.C, the
petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
76	08.05.2019	307, 188, 353, 186, 323, 148, 149 IPC & 25 of Arms Act (Section 307 deleted vide rapat No.25 dated 01.05.2020.)	Lambi, Sri Muktsar Sahib

2. Learned counsel for the petitioner submits that in compliance to the order dated 10.07.2024, the petitioner has joined the investigation.
3. During the course of hearing on 10.07.2024, following order had been passed: -

“ *Heard.*

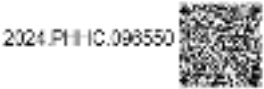
2. *It is, inter alia, contended by learned counsel for the petitioner that the petitioner, after being named in*



the FIR, had joined the investigation and the police had forwarded the cancellation report. However, the matter was referred back for re-investigation. Thereafter, special investigation team was constituted which, after conducting further investigation, presented the challan in Court after deleting the offence under Section 307 IPC and the challan is now pending in the Court of Illaqa Magistrate, Malout, for 04.09.2024. He contends that the petitioner has already joined investigation and is ready to appear before the learned trial Court to face the trial.

3. *Per contra, learned State counsel, on instructions from Inspector Karamjit Singh, P.S. Lambi, has not disputed the factual matrix. He submits that the petitioner had already joined investigation and the police had forwarded the cancellation report in the trial Court which, however, was not accepted and thereafter further investigation in the matter was carried out by the Special Investigation Team which, after deleting the offence under Section 307 IPC, had presented the challan before the learned Illaqa Magistrate for trial. He submits that the petitioner may appear before the trial Court for the trial.*

4. *Considering the submissions made by learned counsel for the petitioner and without commenting on the merits of the case, the petitioner is directed to appear before the Illaqa Magistrate/trial Court/ Duty Magistrate within 10 days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the concerned trial Court/ Duty Magistrate.*



5. *List on 30.07.2024*

4. Learned State counsel on instructions from S.I. Gurmail Kaur and as per *pairvi* report informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 10.07.2024 passed by this Court, interim bail granted vide order dated 10.07.2024 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.

7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

30.07.2024
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(SANJIV BERRY)
JUDGE

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|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |