

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-9467 of 2023(O&M)
Date of Decision: 26.02.2024

Shubveer Singh
...Petitioner
Versus
State of Punjab
...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Gaurav Mohunta, Advocate and
Mr. Nishant Arora, Advocate
For the petitioner.

Mr. Inderjit Singh Ladher, DAG Punjab.

Mr. Harmanpreet S. Mann, Advocate
For the complainant.

KARAMJIT SINGH, J.

1. The present petition has been filed by the petitioner seeking grant of anticipatory bail in criminal case having FIR No. 25 dated 10.02.2023, registered under Sections 323, 341, 379-B, 511, 506 read with Section 34 IPC at Police Station Civil Lines, Patiala.
2. The allegations in nutshell are that on 06.02.2023 complainant Harpreet Sharma was coming back from his school on his motor cycle and on the way he was intercepted by two young boys and one of them gave sword blow which hit on his hand while the other boy tried to snatch his mobile phone and the same fell on the ground and was broken and then the said two boys left the spot after extending threats to him. Lateron petitioner came to know that the boy who was armed with sword is present petitioner.
3. The petitioner was granted interim bail by this Court with direction to join the investigation vide order dated 22.02.2023.

4. The counsel for the petitioner submits that petitioner joined the investigation with the police in compliance of the aforesaid order.

5. The counsel appearing on behalf of the complainant submits that no ground is made out to grant anticipatory bail to the petitioner who is aged about 19 years. It is further submitted that even after grant of interim bail petitioner gave threats to the complainant to cause harm to him.

6. The State counsel on instructions from ASI Manjit Singh submits that petitioner joined the investigation and got effected recovery of sword and the petitioner is not required by police for purpose of any further investigation or custodial interrogation.

7. In the present case, there is no medicolegal report in order to show that at the time of occurrence complainant suffered injury on his hand. The weapon used in commission of crime is already recovered. In the given circumstances, no purpose will be served even if the petitioner is subjected to custodial interrogation at this point of time.

8. Accordingly, without commenting on the merits of the case the present petition is allowed and order of interim bail dated 22.02.2023 is made absolute. The petitioner shall abide by the conditions specified in Section 438(2) Cr.P.C. and should join further investigation as and when asked to do so by the police. The petitioner is directed not to pressurize the prosecution witnesses and not to compel them to enter into compromise.

26.02.2024

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(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No