

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-11990-2024
Date of decision: 21.03.2024

Lakhwinder Singh @ Lakha.....Petitioner.

Versus

State of Punjab....Respondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Kanwaljeet Singh Brar, Advocate,
for the petitioner.

Mr. Ankit Grewal, DAG, Punjab.

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SANJIV BERRY, J. (ORAL)

1. 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
123	03.07.2023	365, 342, 323, 324, 379, 148 and 149 IPC (326 IPC added lateron)	Sadar Faridkot, District Faridkot, Punjab

2. Learned counsel for the petitioner submits that in compliance to the order dated 06.03.2024, the petitioner has joined the investigation.

3. During the course of hearing on 06.03.2024, following order has been passed: -

‘2. It is, *inter alia*, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that earlier also the petitioner apprehending his arrest has filed a petition, i.e. CRM-M-39053-2023, ‘Lakhwinder Singh @ Lakha vs. State of Punjab’, wherein the State had informed that the petitioner was not required to be arrested as of that date and in view thereof, the petition was disposed of with liberty to the petitioner to file the petition afresh.

3. Learned counsel for the petitioner contends that now the petitioner has been served with a notice under Section 41-A Cr.PC and in pursuance thereto, the petitioner had already joined the investigation on 19.07.2023 but later on offence under Section 326 IPC has been added on 27.07.2023. He further contends that the petitioner has not been attributed the injury punishable under Section 326 IPC and is ready to join the investigation.

4. Notice of motion.

5. On the asking of the Court, Mr. Harpreet Singh, Addl. AG, Punjab, present in Court, accepts notice on behalf of the State-respondent and, on instructions from HC Harkanwal Singh, submits that the petitioner has joined the investigation and possible recovery has also been effected from him. He further submits that after joining the investigation by the petitioner, offence under Section 326 IPC has also been added lateron. He prays for time to file the status report/reply in the matter.

6. *Adjourned to 21.03.2024.*

7. *Needful be done well before the date fixed with an advance copy to the counsel opposite.*

8. *In the meanwhile, the petitioner is hereby directed to join investigation within seven 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 Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.'*

4. Learned State counsel on instructions from SI Paramjit Kaur, 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 06.03.2024 passed by this Court, interim bail granted vide order dated 06.03.2024 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.

21.03.2024preeti

(SANJIV BERRY)
JUDGE

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