

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-11894-2024

Date of Decision : 22.04.2024

GAGAN SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Nagar Singh, Advocate,
for the petitioner.

Mr.Raghav Garg, AAG, Punjab.

Mr. Tarun Kumar, Advocate,
for the complainant.

KULDEEP TIWARI. J.(Oral)

1. On 06.03.2024, the following order was passed by this

Court:-

“1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner has sought the concession of anticipatory bail, in case FIR No.7 dated 10.02.2024, under Sections 341, 323, 148, 149 of the IPC (Sections 324, 325, 308 of the IPC added subsequently), registered at P.S. Hajipur, District Hoshiarpur.

2. The learned counsel for the petitioner, in his asking for the relief (supra), submits that the case at hand, is in fact, a case of version and cross-version. He further submits that though the petitioner, who is a senior citizen aged about 68 years, and his co-accused were alleged to have been armed with Datars, sharp edged weapons and baseball bats etc., however, no specific injury has been attributed to the petitioner. Nonetheless, the sole allegation, as levelled against the petitioner, is that, he had raised a ‘Lalkara’.

3. Lastly, the learned counsel for the petitioner submits that, except the present FIR, the petitioner is not involved in any other case, and, he is ready to join the investigation and to cooperate with the investigating officer.

4. Notice of motion for 22.04.2024.

5. Mr. Pardeep Bajaj, D.A.G., Punjab, accepts notice on behalf of respondent-State of Punjab.

6. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.”

2. Learned State counsel, on instructions imparted to him by ASI Harbhajan Singh, submits that the petitioner has already joined the investigation in pursuance to the aforesaid order, and he has fully co-operated with the investigation process, and is no more required for any further custodial investigation.

3. In view of the specific stand taken by the learned State counsel, the present petition is **allowed**, and order dated 06.03.2024 is, hereby, made absolute, on the terms and conditions as envisaged under Section 438(2) of the Cr.P.C.

April 22, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No