



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204

CRM-M-12822-2024 (O&M)
Date of Decision: 13.11.2024

SATNAM SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Mr. Kamal Narula, Advocate
for the petitioner.

Mr. Davinder Bir Singh, Sr. DAG, Punjab.

HARPREET KAUR JEEWAN, J.

1. The instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail to the petitioner in case FIR No.19 dated 04.05.2020, under Sections 354, 452, 506, 427, 148, 149 IPC, 1860, registered at Police Station Arif Ke, District Ferozepur.
2. Learned counsel for the petitioner *inter alia* contends that the petitioner was allegedly armed with 'Gandasi', however, he did not inflict any injuries to the complainant with the said Gandasi. He is only attributed a 'lalkara' and snatching of earrings of the complainant.
3. On 13.03.2024, this Court passed the following order while granting interim bail to the petitioner:

'3. Notice of motion.



4. Having received advance copy of the petition, Ms. Himani Arora, A.A.G., Punjab, accepts notice on behalf of respondent-State.
5. Learned State counsel submits that the X-ray examination report of injured Nos. 2 and 5 is still awaited.
6. As per the Medico Legal Report, injury No. 3 to 5 were complaint of pain and there is no grievous injury as per the MLR.
7. Adjourned to 30.05.2024.
8. The State would also file a status report along with the X-ray examination report and final opinion regarding the nature of injuries to the complainant by the next date of hearing.
9. In the meanwhile, in the event of arrest of the petitioner, he shall be released on interim bail, to the satisfaction of the arresting officer/Area Magistrate, subject to furnishing bail bonds/surety bonds, and also subject to the following conditions:-
 - (i) That the petitioner shall further make himself available for interrogation by a police officer as and when required.
 - (ii) That the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.
 - (iii) That the petitioner shall not leave India without the prior permission of the Trial Court/CJM concerned.'

4. Status report dated 12.11.2024 by way of an affidavit of Sukhwinder Singh, PPS, Deputy Superintendent of Police (City), Ferozepur, District Ferozepur along with the documents filed on behalf of the respondent-State, are taken on record.

5. While referring to the said status report, learned State counsel has confirmed that though the FIR was registered against 7 accused but the petitioner-Satnam Singh though allegedly armed with Gandasi has been only attributed to lalkara and snatching of the earring of the complainant. Learned State counsel has informed that Bohar Singh-co-accused of the petitioner has already been arrested, who has been attributed to injury to the complainant. The said injury constituted the offence under Section 325 IPC, which was enhanced as per DDR No.16 dated 13.05.2024.

6. Learned State counsel has further informed that the petitioner has joined the investigation and his custodial interrogation is not required.



7. I have heard the aforesaid submissions and perused the relevant documents.
8. In view of the aforesaid facts and the reasons recorded in the order dated 13.03.2024 and keeping in view the fact that the injury has been attributed only to Bohar Singh-co-accused of the petitioner; petitioner has joined the investigation; his custodial interrogation is not required and the allegations and counter-allegations between the petitioner and the complainant are matter of trial, the present petition is allowed and the order dated 13.03.2024 granting interim bail to the petitioner is made absolute, subject to the conditions laid down under Section 438(2) Cr.P.C.
9. It is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.
10. All the pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

13.11.2024

P.Bhatt	Whether speaking/reasoned	Yes/No
	Whether reportable	Yes/No