

2024:PHHC:054515

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

207

CRM-M-12827-2024
Date of Decision : April 23, 2024

GURSEWAK SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Lalit Singla, Advocate and
Ms. Varsha Sharma, Advocate
for the petitioner.

Mr. Raghav Garg, AAG, Punjab.

Mr. Suveer Sheokand, Advocate for
Mr. Gurinderjit Singh, Advocate
for the complainant.

KULDEEP TIWARI, J. (Oral)

1. On the last date of hearing, i.e.13.3.2024, the following order
was passed:-

“1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner has sought the concession of pre-arrest bail, in case FIR No.11 dated 07.02.2024, under Sections 458, 323, 427, 148, 149 of the IPC (Sections 325 and 459 of the IPC added subsequently), registered at P.S. Dirba, District Sangrur.

2. The learned counsel for the petitioner, in his asking for the relief (supra), has submitted that the allegation against the petitioner, is that, he had given a reverse Gandasi blow to the complainant, which hit on his left ear, and, the said injury has been declared “simple in nature”. Lastly, he has submitted that, except the present FIR, the petitioner is not involved in any other case.

3. At this stage, Mr. Gurinderjit Singh, Advocate along with

Mr. Mohit Garg, Advocate, has caused appearance on behalf of the complainant, and, opposed the grant of pre-arrest bail to the petitioner.

4. *Notice of motion for 23.04.2024.*

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

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 their 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. Today, the learned State counsel on instructions imparted to him by ASI Harjinder Singh, submits that the petitioner has already joined the investigation and he is fully co-operating with the investigation process and he is not 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 13.3.2024 is, hereby, made absolute subject to the condition that the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

(KULDEEP TIWARI)
JUDGE

April 23, 2024
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No