



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

207

**CRM-M No.17786 of 2024
Date of decision: 13.08.2024**

SHIVA**.... Petitioner****Versus****STATE OF PUNJAB****.... Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present : Mr. Nitin Narula, Advocate for the petitioner.

Mr. A.S. Samra, A.A.G., Punjab.

MANISHA BATRA, J. (oral)

1. Through the instant petition, filed under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No. 117, dated 31.05.2022 registered under Sections 336, 323, 148, 149 and 506 of IPC and Section 25 of Arms Act, at Police Station Sadar Ferozepur, District Ferozepur.

2. Vide order dated 10.04.2024, passed by this Court, the petitioner was released on interim bail and was directed to join investigation. Order dated 10.04.2024, passed by this Court, reads as under:

“Apprehending his arrest in FIR No.0117 dated 31.05.2022, registered for offences punishable under Sections 336, 323, 148, 149 and 506 of IPC, 1860 and Section 25 of the Arms Act, 1959 at Police Station Sadar Ferozepur, District Ferozepur, the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.



Counsel for the petitioner inter alia submits that petitioner has been attributed injury on the non-vital part.

Notice of motion for 23.05.2024.

Mr. Jaswinder Singh Arora, DAG, Punjab, appears and accepts notice on behalf of the respondent-State.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the arresting officer/Investigating Officer. As and when called, the petitioner shall join the investigation. He shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C.”

3. Pursuant to aforesaid order, the petitioner could not join the investigation and thereafter vide order dated 23.05.2024, the petitioner was again directed to join the investigation.
4. Learned State counsel, on instructions from the Investigating Officer, has submitted that that the petitioner has joined investigation on 07.08.2024 and he is not required for custodial interrogation.
5. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 10.04.2024, granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

13.08.2024
Jyoti-IV

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable : Yes/No