



In The High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-19269-2024 (O&M)
Date of Decision:- 25.09.2024

Harwinder Singh Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sahil Matharoo, Advocate for
Mr. Dilpreet Singh Gandhi, Advocate, for the petitioner.

Mr. Siddharth Attri, AAG, Punjab.

FIR NO.	DATE	POLICE STATION	OFFENCES
386	23.11.2023	Tripuri, District Patiala	323, 341, 506, 148, 149 IPC (Sections 325 and 307 IPC added later on)

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of anticipatory bail in respect of aforementioned FIR.



2. At the time of issuance of interim bail the following order was passed on 20.04.2024:

“The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No. 386, dated 23.11.2023, Police Station Tripuri, District Patiala, under Sections 323, 341, 506, 148, 149 of IPC (Sections 325 and 307 IPC added later on).

The FIR was lodged at the instance of Gurdit Singh wherein it is alleged that on 19.11.2023 at about 9 pm, when he went out to take a walk, he noticed that 12/14 boys were standing, out of which one was Rahul who resides in the neighborhood and his relative Harvinder Singh. It is alleged that Harvinder Singh was bleeding from his head and complainant told Rahul to take him to hospital. However, the other boys who were standing along with Rahul starting pushing the complainant. They were carrying ‘sticks’ and one of them was also carrying an ‘axe’ and one was carrying an ‘iron rod’. The said persons surrounded the complainant and started beating him. It is alleged that he was hit on his head with an ‘axe’ and on account of which he fell down. Thereafter the said persons ran away from the spot.

Learned counsel submits that although the petitioner is named in the FIR but no overt act is attributed to him. Rather, the complainant upon noticing that the petitioner was bleeding from his head, advised one Rahul to take him to hospital and that no role whatsoever is attributed to the petitioner and it is only the other 10/12 persons who are standing there who were alleged to have inflicted injuries.

Notice of motion for 25.09.2024.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when



called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

- 3. Learned State counsel has submitted that the petitioner has joined investigation and is not required for any custodial interrogation.
- 4. In view of the aforestated position wherein the petitioner has joined investigation and he is not stated to be required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 20.04.2024 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

25.09.2024

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No