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**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH****CRM M-21028-2024 (O&M)****Date of Decision: 29.05.2024**

Gurpreet Singh @ Gora

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Arnav Sood, Advocate,
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab
assisted by ASI Sandeep Kumar.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short "Cr.P.C") for seeking pre-arrest bail in FIR No.0060 dated 30.07.2023 registered under Sections 324, 458, 506 and 148 read with Section 149 IPC (Sections 326 and 460 IPC added later on), at Police Station Pojewal, District Shaheed Bhagat Singh Nagar.

2. Status report dated 28.05.2024 by way of affidavit of Sh. Sham Sunder Sharma, PPS, Deputy Superintendent of Police, Sub Division Balachaur, District SBS Nagar filed on behalf of respondent-State is taken on record. Registry to tag the same at appropriate place.

3. Allegations are that petitioner along with co-accused Mandeep Singh @ Money, Inderpreet Singh @ Bagela, Deepu @ Cheeniya, Harjinder Singh @ Jhinder, Karan, Bhim and Amrit formed an unlawful assembly and in prosecution of common object of said assembly, caused injuries to informant Deepak Mahey after trespassing into his house.

4. Learned counsel contends that it is a case of version and cross version. Also contends that petitioner was granted interim bail vide order dated



29.04.2024 and in pursuance thereof, he has joined investigation; thus, his custodial interrogation is not required.

5. Learned State counsel has acknowledged the factum of joining investigation by the petitioner. It is also acknowledged that custodial interrogation of petitioner is not required.

6. Heard learned counsel for the parties and perused the paper-book.

7. This Court vide order dated 29.04.2024, granted interim bail to petitioner and the same reads as under:-

“Contends, inter alia, that it is a case of version and cross-version.

Notice of motion.

Ms. Manjot Kaur, AAG, Punjab, accepts notice on behalf of the respondent-State and seeks time to have instructions and/or file written response in the matter.

Posted for 29.05.2024.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”

8. In pursuance of the aforesaid order, petitioner has joined investigation; hence, interim order dated 29.04.2024 is made absolute, subject to the conditions as envisaged under Section 438(2) Cr.P.C.

9. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

10. The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.



- 11. Disposed off accordingly.
- 12. Pending criminal misc. application(s), if any, shall also stand disposed off.

29.05.2024

SN

Whether speaking/reasoned : Yes/No

Whether Reportable: Yes/No

(MAHABIR SINGH SINDHU)

JUDGE