



217(2) **IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM M-24655-2024 (O&M)
Date of Decision: 23.05.2024

Happy Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Kulwinder Singh, Advocate,
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.
assisted by ASI Mewa Singh.

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.96 dated 19.07.2023 registered under Sections 307, 323, 324 and 148 read with Section 149 IPC, at Police Station, City-1, Mansa, District Mansa.

2. Allegations are that petitioner along with co-accused Kulwinderjit Singh @ Kaklu, Manyog Singh, Kulwinder Singh @ Nikka, Joginder Singh @ Akashdeep, Rajdeep Singh, Sammi, Jashan @ Jassi all armed with iron kirpan, gandasas etc. formed an unlawful assembly and in prosecution of common object of said assembly, with an intention to kill, caused injuries to informant Gural Singh and his friend Arman Parocha @ Pulsar.

3. Learned counsel contends that petitioner is not named in the FIR; rather nominated on the basis of supplementary statement made by complainant after a period of 01 month from the date of occurrence. Also contends that petitioner was granted interim bail vide order dated 17.05.2024 and in pursuance thereof, he has joined investigation; thus, his custodial interrogation is not required.



4. 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.

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

6. This Court vide order dated 17.05.2024, granted interim bail to petitioner and the same reads as under:-

“Contends inter alia that petitioner was named in the FIR; rather nominated on the basis of supplementary statement made by complainant after a period of 01 month from the date of occurrence.

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 23.05.2024.

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 in the present case, till the next date of hearing, on his 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 Code of Criminal Procedure, 1973”

7. In pursuance of the aforesaid order, petitioner has joined investigation; hence, interim order dated 17.05.2024 is made absolute, subject to the conditions as envisaged under Section 438(2) Cr.P.C.

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

9. 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.

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

23.05.2024
SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No