

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

103

CRM-M-27041-2024(O&M)
Date of Decision: 08.08.2024

GURVAIL SINGH

....Petitioner

VERSUS

STATE OF PUNJAB

....Respondent

CORAM : HON’BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Malkiat S. Hundal, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 438 of Cr.P.C.
seeking anticipatory bail in FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
431	05.10.2023	P.S. Goindwal Sahib, Tarn Taran	498-A/323/506 of IPC

2. Vide order dated 27.05.2024 passed by this Court, the petitioner was released on interim bail and was directed to join investigation. Order dated 27.05.2024 is reproduced as under:-

“Present petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail to the petitioner in case FIR No.431 dated 05.10.2023 registered under Sections 498-A/323/506 of IPC at Police Station Goindwal Sahib, Tarn Taran. The petitioner was extended benefit of pre arrest bail in this case vide order dated 14.03.2024, at that time, offence under Section 326 IPC had not been added. It is submitted that it was not disclosed by the Investigating Agency that vide DDR No.17 dated 14.02.2024 offence under Section 326 had also been added. Therefore, prayer has been made for grant of benefit of

pre-arrest bail to the petitioner for offence under Section 326 IPC as well.

Learned State counsel who has advance notice of the petition seeks some time to file reply/status report in the matter.

Adjourned to 08.08.2024

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within three weeks or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

3. Learned State counsel has filed status report dated 07.08.2024. The same is taken on record. He further, on instructions states that the petitioner has joined the investigation on 17.06.2024. Recovery has been effected from the petitioner. His custodial interrogation is not required. No useful purpose would be served by detaining him in custody. In view of the said facts but without commenting on the merits of the case, the present petition is allowed and the order dated 27.05.2024 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.

08.08.2024
Deepak Patwal

(MANISHA BATRA)
JUDGE

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| 1. Whether speaking/reasoned | Yes/No |
| 2. Whether reportable | Yes/No |