

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

317

CRM-M-28134-2024 (O&M)
Date of Decision: 20.08.2024

DALJIT SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Mr. Param Preet Singh Brar, Advocate for the petitioner.

Mr. D.B. Singh, Sr. DAG, Punjab.

HARPREET KAUR JEEWAN , J.

1. The instant petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No.29 dated 17.04.2024 registered under Sections 354, 354-B, 323, 506, 34 IPC at Police Station Bajakhana, District Faridkot.
2. On 30.05.2024, this Court passed the following order and directed the petitioner to join the investigation:

“Learned counsel for the petitioner inter alia contends that though the petitioner is named in the FIR, however, there are no specific allegations against him. The co-accused namely Surinder Singh, against whom the allegations of inflicting injuries with kirpan and giving fist blows have been levelled, has already been released on regular bail by the Court of Sessions. The co-accused namely Harjit Kaur has also been granted the concession of pre-arrest bail.

Notice of motion.



Ms. Himani Arora, A.A.G., Punjab accepts notice

on behalf of respondent-State of Punjab and informs that there is another case registered against the petitioner under Section 302 IPC.

Learned counsel for the petitioner contends that he has already been admitted to bail in that case vide order dated 12.01.2018 passed in CRM-M-49397 of 2017 and the said matter is still under trial. Copy of the said order has been submitted in the Court, which is taken on record. It is further contended that the petitioner is ready to face the trial.

Learned State counsel seeks a short accommodation to place on record relevant documents.

Adjourned to 20.08.2024.

In the meanwhile, the petitioner is directed to join investigation within a period of ten days and in the event of arrest, he shall be released on interim bail, to the satisfaction of the arresting officer/Area Magistrate, subject to furnishing bonds/surety, and also subject to the following conditions:-

(i) That the petitioner shall further make himself available for interrogation by a police officer as and when required.

(ii) That the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

(iii) That the petitioner shall not leave India without the prior permission of the Trial Court/CJM concerned.”

3. Status report dated 19.08.2024 by way of an affidavit of Sukhdeep Singh, PPS, Deputy Superintendent of Police, District Faridkot filed on behalf of the respondent-State is taken on record.

4. Learned State counsel has informed that in compliance of the aforesaid order, the petitioner had joined the investigation on 05.06.2024 and produced the *danda*, which has been taken into possession. The main accused Surinder Singh has also been apprehended by the police on 10.05.2024 and custodial interrogation of the petitioner is not required.

5. With regard to the previous case registered under Section 302 IPC,

Learned counsel for the petitioner contends that in the said case, the petitioner

was not named in the FIR and he was subsequently named on the basis of supplementary statement of the complainant and no specific role was attributed to the petitioner, as such he was admitted on bail vide order dated 12.01.2018 passed in CRM-M-49397-2017 by the Co-ordinate Bench of this Court. The copy of the said order is submitted in the Court, which is taken on record.

6. In view of the aforesaid facts and the reasons recorded in the order dated 30.05.2024 and keeping in view the fact that the petitioner has joined investigation and his further custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 30.05.2024, granting interim bail to the petitioner is made absolute, subject to the conditions laid down under Section 438(2) Cr.P.C.

7. Nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

8. All pending miscellaneous application(s), if any, stands disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

20.08.2024
P.Bhatt

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No