

2024:PHHC:088175



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-27790-2024

Date of Decision : 16.07.2024

LOVEPREET SINGH @ LOVEPREET

.....Petitioner(s)

VERSUS

STATE OF PUNJAB

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Amandeep Singh Manaise, Advocate,
for the petitioner(s).

Mr.Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. On 29.05.2024, a co-ordinate bench had passed the
hereinafter extracted order, upon the instant petition:-

“The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 15 dated 13.02.2024, under Sections 323, 324 and 34 of Indian Penal Code (Section 326 IPC added later on), registered at Police Station City Fazilka, District Fazilka.

Learned counsel for the petitioner submits that the entire story narrated in the FIR is false and fabricated and he had no role to play and in fact, he suffered injuries in the entire scuffle and has clean antecedents.

Notice of motion.

Mr. Siddharth Attri, AAG, Punjab accepts notice on behalf of respondent-State and has vehemently opposed the grant of any concession and has submitted that the petitioner was duly nominated in the FIR as he gave fist blows on the head of the complainant which caused him to lose consciousness, however, the counsel for the petitioner submits that the said injury has not been declared to be grievous, therefore, he submits that the ingredients of Section 326 IPC are not attracted.

In light of the fact that the injury attributed to the petitioner is not grievous and without commenting on the merits of the

case, the petitioner is directed to join investigation on 05.06.2024 at 10:00 A.M. before the Investigating Officer and cooperate with the Investigating Agency, even thereafter.

In the event of arrest, the petitioner be released on interim bail subject to furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer and the petitioner shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

However, it is made clear that this order shall not be construed as parity qua any other co-accused.

Adjourned to 10.07.2024.”

2. Today, the learned State counsel has, on instructions imparted to him by ASI Bakar Singh, stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined investigation and he is no longer required for custodial interrogation.

3. In view of the above, the hereinabove extracted interim order dated 29.05.2024, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

“(i) the petitioner(s) shall not commit an offence similar to the present offence;

(ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;

(iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when required.”

4. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

5. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

July 16, 2024

dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No