



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

207

CRM-M-28535-2024

Date of decision: 03.10.2024

Arjun Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Gaurav Partap S. Pathania, Advocate (through VC)
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.0052 dated 09.05.2024 for the offences under Sections 323, 324, 326 and 34 IPC, 1860 registered at Police Station Sujanpur District Pathankot.

2. On 08.07.2024, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel for the petitioner inter alia contends that as per the complainant herself, the occurrence in question took place on 24.04.2024; the complainant was allegedly inflicted an injury on her wrist with a datar by the petitioner, however, strangely, she chose to travel 80 kms away to get her medico-legally examination conducted. Not only this, an inordinate and unexplained delay of 15 days in lodging the FIR, clearly points to a fabricated and false case having been planted upon the petitioner by the complainant, who happens to be



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his paternal aunt. Learned counsel has further urged that in the occurrence in question, it was in fact the complainant, who had inflicted injuries on the mother and the wife of the petitioner in which regard both of them were medico-legally examined on the date of occurrence itself. In support, learned counsel has drawn the attention of this Court to Annexure P-2, which is their medico-legal report.”

3. Learned counsel for the petitioner submits that in compliance of order dated 08.07.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from Inspector Harpreet Kaur, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 08.07.2024, is made absolute subject to the conditions laid down in Section 482(2) of the BNSS/438(2) of the Cr.P.C.

03.10.2024

Vinay

**(MANJARI NEHRU KAUL)
JUDGE**

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