



CRM-M-29589-2024

1

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

216

CRM-M-29589-2024

Date of Decision : July 29, 2024

TARANDEEP SINGH**-PETITIONER****V/S****STATE OF PUNJAB****-RESPONDENT****CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI**

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

Mr. Sahil R. Bakshi, A.A.G., Punjab.

Mr. Abhishek Sharma, Advocate
for the complainant.

KULDEEP TIWARI, J. (ORAL)

1. On 14.06.2024, this Court had passed the hereinafter extracted order, upon the instant petition:-

“Prayer in this petition is for grant of anticipatory bail to the petitioner in case FIR No. 38 dated 11.04.2024 registered under Sections 354, 325, 323, 341 and 506 read with Section 34 of the Indian Penal Code, 1860 (Section 307 deleted later on) at Police Station Sarabha Nagar, Ludhiana.

Learned counsel for the petitioner, submits that though there are specific allegations against the present petitioner, that he has caused injury by beer bottle on the head of the complainant, however, the injury which is received by the complainant, is simple in nature. He further submits that in fact, in order to aggravate the sentence, the complainant manipulated the injuries, and got declared the same, as dangerous to life and the instant FIR was earlier registered under Section 307 of the IPC. Subsequently, an inquiry was conducted by Civil Surgeon, Ludhiana by constituting five members Medical Board, and a report dated 22.05.2024, was



CRM-M-29589-2024

2

submitted by the Medical Board so constituted. As per the report, the recommendation has been made to take legal action against the doctor, who not only declared injury on the person of Daljit Singh as grievous fraudulently, but also did not follow the guidelines of the Government of Punjab and the guidelines issued by the High Court, and the inquiry report also reflects that there is no evidence of injury which can be declared as dangerous to life.

Mr. Abhishek Sharma, Advocate caused appearance on behalf of the complainant, and opposed the grant of pre-arrest bail to the petitioner, and submits that in fact the petitioner, who is only 19 years old, and is involved in two other cases of similar nature, and he has the audacity to threaten one of the employee of the complainant, who is helping him to pursue the instant matter. Therefore, he does not deserve the relief of anticipatory bail. He further submits that the medical report has been prepared without associating the complainant in the inquiry, which creates shadow of doubt upon such inquiry, and he is pursuing his remedy before the appropriate authority for such grievance.

Be that as it may, this Court has examined the submissions made by counsel for the petitioner, complainant as well as counsel for the State.

At this stage, since the only offence which is non-bailable is under Section 354 IPC, and on the perusal of the FIR, it is a debatable issue, as to whether the offence under Section 354 IPC, is made out or not. The allegation against the petitioner is that he has caused injury, which as on today, has been declared simple in nature.

Therefore, the petitioner is directed to join the investigation and on his doing so, he shall be released on interim bail to the satisfaction of the arresting/investigating officer concerned.

Adjourned to 29.07.2024.”

2. Today, the learned State counsel has, on instructions imparted to him by H.C. Umed Kumar, stated that pursuant to the making of the hereinabove extracted order, the petitioner had joined investigation and he is

no longer required for custodial interrogation.

3. In view of the above, the hereinabove extracted interim order dated 14.06.2024, as made by this Court, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

- “(i) the petitioner shall not commit an offence similar to the present offence;
- (ii) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;
- (iii) the petitioner shall make himself 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 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 29, 2024
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(KULDEEP TIWARI)
JUDGE

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