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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-29815-2024 (O&M)
Date of Decision:- 09.08.2024

GURWINDER SINGH

Versus

....Petitioner(s)

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Sarabjit Singh, Advocate for the petitioner.
Mr. Adesh Pal Singh, AAG Punjab.

SANJIV BERRY, J. (ORAL)

Status report dated 08.08.2024 filed in the form of an affidavit of Deputy Superintendent of Police, Sub-Division Sultanpur Lodhi, District Kapurthala, is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
21	12.05.2024	323, 324, 326 and 34 IPC	Kabirpur (Ahalikalan), District Kapurthala

3. Learned counsel for the petitioner has submitted that in compliance to the order dated 13.06.2024 passed by this Court, the petitioner



has already joined the investigation and as such interim bail granted to the petitioner may be confirmed.

4. Learned State counsel, on instructions from ASI Satwinder Singh has intimated that the petitioner has joined investigation and is no more required for any custodial investigation in this case nor he is required for further investigation.

5. Heard.

6. During the course of hearing on 13.06.2024, the following order was passed:-

“Learned counsel for the petitioner contends that injury attributed to the petitioner is on the non-vital part i.e. little finger of the complainant. He further contends that present case is a case of version and cross-version and cross version case vide DDR No.27 dated 13.05.2024 under Sections 323, 325, 452, 148, 149 IPC is registered against the complainant and other persons. The brother of the petitioner namely, Sukhwinder Singh, who is an accused in cross case, has been granted concession of pre-arrest bail by this Court vide order dated 29.05.2024 (Annexure P-5) passed in CRM-M-27720-2024. He submits that petitioner is ready to join investigation.

Notice of motion.

Mr. Amit Kumar Goyal, Addl. AG Punjab accepts notice on behalf of the respondent-State.

Adjourned to 09.08.2024.

Meanwhile, in the event of arrest, the petitioner is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

7. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 13.06.2024 passed by this Court, interim bail



granted vide order dated 13.06.2024 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

8. The petition stands allowed.

(SANJIV BERRY)
JUDGE

09.08.2024
S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |