



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.31964 of 2024
Date of decision: 1st October, 2024

Malkit Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. JPS Brar, Advocate for the petitioner.
Mr. Navdeep Singh, Dy. Advocate General, Punjab
for the respondent/State.
Mr. Arshdeep S. Sra, Advocate for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.30 dated 03.06.2024 for the offences under Sections 323, 324, 34 of the IPC (Sections 307, 326 IPC added later on) registered at Police Station Sadar Rampura, District Bathinda.

2. On the last date of hearing, i.e. 08.07.2024, while noticing the following submissions made by 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 inter alia contends that the petitioner, who is 68 year old man, had no motive to participate in the alleged occurrence as admittedly the dispute pertains to 1 Kanal of land between the co-accused and the complainant. While drawing the attention of this

Court to the contents of the FIR, which has been annexed as Annexure P-1, it has been further submitted that the petitioner has only been attributed a lalkara and even as per the admitted case of the complainant, he was empty handed and had not inflicted any injury much less an injury inviting the mischief of Section 307 IPC.”

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

4. Learned State counsel, on instructions, 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 the circumstances, the petition is allowed and the interim order dated 08.07.2024 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./Section 482(2) BNSS. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

October 1, 2024
rps

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