



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

206

CRM-M No.34230 of 2024
Date of decision: 03.09.2024

SUKHDEV SINGH ALIAS SHUNTY

.... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Kushager Goyal, Advocate for the petitioner.

Mr. Arjun Lakhanpal, Addl. A.G., Haryana.

Mr. Aditya Sanghi and Mr. Saurabh Sharma, Advocate
for the complainant

MANISHA BATRA, J. (oral)

1. Through the instant petition, filed under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in FIR No. 30 dated 28.01.2024 registered under Sections 147, 148, 149, 323, 324, 452 and 506 of IPC (Section 326 of IPC added later on) at Police Station Sirsa Sadar, Sirsa.
2. Vide order dated 19.07.2024, passed by this Court, the petitioner was released on interim bail and was directed to join investigation. Order dated 19.07.2024, passed by this Court, reads as under:

“The instant petition has been filed by the petitioner for grant of pre arrest bail in case FIR No. 30 dated 28.01.2024 registered under Sections 147, 148, 149, 323, 324, 452 and 506 of IPC (Section 326 of IPC added later on) at Police Station Sirsa Sadar, Sirsa on the basis of a statement recorded by the complainant-Manjeet Singh @ Makhu on 28.01.2024 alleging therein that on 25.01.2024, when he was present alone in his house, the petitioner along with co-accused and



some unknown persons came outside his house while being armed with weapons and open an attack upon him by proclaiming that the complainant should not be spared in supporting the family of Nimma. He tried to flee away for rescuing himself but was intercepted by the present petitioner and co-accused Bagga Singh @ Dilbag Singh and Angrej @ Bhola who caught hold of him whereas, co-accused Anmol, Vicky, Sonu and Jashan inflicted injuries on his person with weapons which they were carrying. They also gave him kicks and fist blows. On hearing alarm raised by him, neighbours reached there and then assailants had fled away. Initially a case under Sections 147, 148, 149, 323, 324, 452 and 506 of IPC was registered and subsequently offence under Section 326 of IPC was added. Apprehending his arrest, the present petitioner had moved an application for grant of pre arrest bail along with some of the co-accused which has been dismissed by the Sessions Judge, Sirsa vide order dated 13.06.2024.

It is argued by learned counsel for the petitioner that the petitioner has been falsely implicated in this case. Injuries on the person of the victim have not been attributed by him. He is ready to join the investigation and his custodial interrogation is not required. The co-accused namely Gurmeet Singh @ Meeta and Dilbagh @ Bagga Singh have been extended benefit of bail by this Court. Therefore, it is urged that he too deserves to be extended benefit of bail.

Notice of motion.

Learned State counsel who has appeared on advance notice of the petition, seeks time to file status report in the matter.



Adjourned to 03.09.2024.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

3. Status report dated 29.08.2024 filed on behalf of the respondent-State is taken on record.
4. Learned State counsel, on instructions from the Investigating Officer, has submitted that that the petitioner has joined investigation on 30.08.2024 and he is not required for custodial interrogation.
5. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 19.07.2024, granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

03.09.2024
Jyoti-IV

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable : Yes/No