

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208

CRM-M-35576-2023

Date of decision: 10.01.2024

Preet Vashisht

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sherry K. Singla, Advocate
for the petitioner.

Mr. Arun Luthra, 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.0176 dated 03.07.2023 under Sections 307, 323, 324, 341, 506, 34, 325, 326, 201 of the IPC, registered at Police Station Phillaur, District Jalandhar Rural.

2. On 25.07.2023, 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:-

“While drawing the attention of this Court to the allegations levelled in the FIR, learned counsel for the petitioner submits that the petitioner, who was allegedly armed with a spade, had inflicted two injuries on the left and right thigh of the complainant as a result of which he fractured both of his thighs. Learned counsel submits that a perusal of the MLR of the injured, which has been placed on record today, does not show any fracture on either of the thighs of the complainant. Learned counsel further submits that it is also a matter of record that the complainant had left against medical advice from the

hospital and there was no other medical evidence on record much less opinion of the doctor from which it could be even remotely inferred that the injuries allegedly inflicted on the petitioner were dangerous to life.”

3. Learned counsel for the petitioner submits that in compliance of order dated 25.07.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Vijay Kumar, has not disputed the submissions made by learned counsel for the petitioner today that the offence under Section 307 of the IPC against the petitioner stands deleted. 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 view of the above, the petition is allowed and interim order dated 25.07.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

10.01.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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