

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.36021 of 2023

Date of decision: 16th April, 2024

Tejinderpal Singh @ Rana

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Gagandeep S. Bajwa, Advocate for the petitioner.

Mr. Navdeep Singh, Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.46 dated 11.06.2023 under Sections 323, 324, 506, 148, 149 of the Indian Penal Code, 1860 (Sections 326 and 307 IPC added later on), registered at Police Station Ramdas, Amritsar Rural.

2. On 27.07.2023, 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.

“While drawing the attention of this Court to the allegations levelled in the FIR in question, which has been annexed as Annexure P-1, learned counsel for the petitioner submits that a perusal of the same clearly reveals

that no role much less any injury has been attributed to the petitioner in the occurrence in question.

On a pointed query put to the learned counsel as to who has been attributed the injury inviting the mischief of Sections 326/307 IPC, he submits that it is attributed to Gurbachan Singh, who was allegedly armed with a datar.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 27.07.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Nirmal Singh, 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. It has also not been disputed by the learned State counsel that the petitioner has not been attributed any specific injury or role in the occurrence in question other than he being a part of the unlawful assembly.

5. In the circumstances, the petition is allowed and the interim order dated 27.07.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. 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

April 16, 2024
rps

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