

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.39390 of 2023

Date of decision: 14th February, 2024

Kaka Singh @ Rajesh Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sunil K. Bajaj, Advocate for the petitioner.

Mr. Amit Rana, Sr. Dy. Advocate General, Punjab
for the respondent/State.

Mr. Piyush Setia, 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.0070 dated 26.04.2023 under Sections 324/458 of the Indian Penal Code, 1860, registered at Police Station City 1 Abohar, District Fazilka.

2. On 11.08.2023, 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.

“Learned counsel for the petitioner submits that the FIR has been lodged as a counterblast to Rapat No.51 dated 26.04.2023, which had been registered on the statement of his wife against the

complainant, wherein allegation is that she had been assaulted by them. He further submits that even otherwise, the injury attributed to the petitioner, though on the head, was opined to be simple in nature.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 11.08.2023, 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 11.08.2023 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

February 14, 2024
rps

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