



CRM-M-41129-2024

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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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CRM-M-41129-2024

Date of Decision: 11.11.2024

KULDEEP SINGH

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH.

Present: Mr. K.B.S.Gill Advocate and
Mr. P.K.S.Phoolka, Advocate for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

GURBIR SINGH, J (ORAL)

1. This petition has been filed under Section 438 of Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.0074, dated 07.06.2024, under Sections 324, 323, 341, 148, 149 of IPC (Vide GD No.27 dated 13.06.2024, Section 326 of IPC added lateron), registered at Police Station Civil Lines, Bathinda, District Bathinda.

2. Vide order dated 27.08.2024, this Court had granted interim bail to the petitioner and directed him to join investigation. The same is reproduced as under:-

“ This petition has been filed under Section 438 of Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.0074, dated 07.06.2024, under Sections 324, 323, 341, 148, 149 of



IPC (Vide GD No.27 dated 13.06.2024, Section 326 of IPC added lateron), registered at Police Station Civil Lines, Bathinda, District Bathinda.

Learned counsel for the petitioner inter alia submits that the petitioner has been falsely implicated in the present case. There is delay of 5 days in lodging the FIR. No offence is made out against the petitioner. Even otherwise, he is ready to join investigation. His co-accused has already been admitted to interim bail by this Court vide order dated 24.07.2024 passed in CRM-M-35102-2024.

Notice of motion.

Ms. Manjot Kaur, AAG, Punjab, accepts notice on behalf of the respondent-State and submits that injury No.3 has been attributed to the petitioner, which is not grievous. She seeks some time to file status report.

Adjourned to 11.11.2024.

In the meantime, petitioner is directed to join investigation as and when called by SHO/Investigating Officer and in the event of his arrest, he shall be released on interim bail on his furnishing bail bonds and surety bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438 (2) Cr.P.C.:-

- i. that the petitioner shall make himself available for interrogation before the investigating officer as and when required;*
- ii. that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him from disclosing such facts to the Court or to any police officer;*
- iii. that the petitioner shall not leave the country without prior permission of the Court concerned.*

Status report be filed by the State before the next date of hearing with an advance copy to the counsel opposite.”

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3. Status report by way of an affidavit of Saravjeet Singh Brar, PPS, Superintendent of Police, City-2, Bathinda has been filed by the learned State counsel. On instructions, she submits that in compliance of order dated 27.08.2024, petitioner has not appeared before the trial Court and the next date before the trial Court is 12.11.2024. She further submits that the petitioner has joined investigation; he is not required for any custodial interrogation and Challan has already been presented.

4. I have heard learned counsel for the parties.

5. In view of the fact that the petitioner has already joined the investigation and his custodial interrogation is not required, the order dated 27.08.2024 granting interim bail to the petitioner is made absolute. The petitioner is directed to appear before the trial Court on the date fixed i.e. 12.11.2024. The petitioner shall abide by the conditions as laid down under Section Section 438(2) Cr.P.C in letter and spirit.

6. Petition stands disposed of accordingly.

11.11.2024
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(GURBIR SINGH)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No