

CRM-M-41826-2024
Date of Decision: 04.09.2024

State of Punjab ...Respondent

N.S.Shekhawat J. (Oral)

2. Learned counsel for the petitioner contends that the FIR in the present case was registered on 19.07.2023 and the allegations were levelled against seven named accused and one unknown person. The petitioner was not named as an accused in the FIR nor there was any averment, which connected the petitioner with the alleged crime in any manner. He further contends that during the course of investigation, the statement of Arman Parocha was recorded by the police on 18.09.2023 and the petitioner was also named as one of the assailant. He further contends that in the said supplementary statement



(Annexure R-3/T), it was alleged that the petitioner had caused an injury from the reverse side of the gandasi on the back of Arman Parocha, which has been declared to be grievous in nature. He further contends that the main accused, namely, Satwinder, Kulwinder and Jashandeep have already been granted the concession of regular bail by this Court. Thus, the custodial interrogation may not be required at this stage.

3. Status report by way of an affidavit of Deputy Superintendent of Police, Sub-Division Mansa, District Mansa has been filed by learned State counsel in Court today and the same is taken on record. Learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner. However, he could not dispute the fact that the petitioner was not named initially and has been named by Arman Parocha in his supplementary statement dated 18.09.2023.

4. I have heard learned counsel for the parties and perused the record.

5. The main injuries in the present case were caused by main accused Kulwinder, who has already been granted the concession of regular bail by this Court. Even other co-accused Satwinder, Jashandeep and Happy Singh have also been granted the concession of bail by this Court. Thus, custody of the petitioner will not serve any meaningful purpose.

6. Without commenting any further on the merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Section 438(2) of the Cr.P.C. It will be open for the Investigating Officer to call the petitioner to join



investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 438(2) of the Cr.P.C.

04.09.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

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