

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207-2

CRM-M-46559-2023
Date of Decision:10.01.2024

DALAU SINGH

.....Petitioner

Vs.

STATE OF PUNJAB

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. G.S. Jagpal, Advocate
for the petitioner.

Ms. Kanica Sachdeva, AAG, Punjab.

DEEPAK GUPTA, J.(ORAL)

On 15.09.2023, following order was passed:

“Through this petition, the petitioner seeks anticipatory bail in cross-case bearing GD No.46 dated 03.08.2023, under Sections 324, 323, 341, 148 and 149 IPC (later on added offence under Section 326 IPC), registered at Police Station Sadar Faridkot, in FIR No.141 dated 02.08.2023, registered at Police Station Sadar Faridkot, District Faridkot, under Sections 302, 452, 341, 427, 506, 148 and 149 IPC (Section 326 IPC added later on).

Learned counsel for the petitioner contends that the abovenoted FIR was registered on the statement of Basant Singh against Harpal Singh (complainant in GD No.46 dated 03.08.2023) and others, for murdering Balkaran Singh (nephew of the petitioner), and that though the petitioner was allegedly armed with an iron trowel (khurpa), yet no specific injury has been attributed to him.

Notice of motion.

On the asking of this Court, Mr. C.L.Pawar, Addl. A. G. Punjab, accepts notice on behalf of the respondent-State, and seeks time to file the status report.

Adjourned to 16.11.2023.

Meanwhile, the petitioner is directed to join investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) Cr.P.C.

However, anticipatory bail, granted while exercising the judicial discretion, should not operate as an inroad into the statutory investigational power of the police.”

Today learned State counsel, on instructions submits that petitioner has since joined the investigation and is not required for custodial interrogation.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated 15.09.2023 is hereby made absolute, whereby petitioner was granted interim anticipatory bail.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

10.01.2024

pry

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No