

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

219

CRM-M-55639-2023

Date of decision: 10.01.2024

Karan Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Gaganpreet Kaur, Advocate for
Ms. Riffi Birla, Advocate
for the petitioner.

Mr. Arun Luthra, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.105 dated 06.08.2023 under Sections 452/353/186/323/427/506/148/149 of the Indian Penal Code, 1860, registered at Police Station Sadar Jalalabad, District Fazilka.

2. Status report by way of affidavit of Atul Soni, PPS, Deputy Superintendent of Police, PBI, Fazilka with additional charge of DSP Sub Division, Jalalabad, has been filed in the Court today which is taken on record subject to all just exceptions. A copy of the same has been supplied to the counsel opposite.

3. On 06.11.2023, while noticing the following submissions made by the learned counsel for the petitioner, a Coordinate Bench of 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 petitioner is innocent and has been falsely implicated in the present case. She further submits that the FIR in question has been lodged at the instance of Surinder Pal. It is alleged that on 06.08.2023, petitioner along with Parwinder Singh, Shinder Singh, Malkeet Singh, Visakha Singh, Buta Singh, Bagicha Singh and Akashdeep Singh trespassed into the house of the complainant. The Police party which reached at the spot was obstructed from discharging its lawful duty. It is urged that it is a case of false implication and result of strained relations between the complainant and his wife. It is further stated that no specific role has been attributed to the petitioner. No recovery is to be effected from him.”

4. Learned counsel for the petitioner submits that in compliance of order dated 06.11.2023, the petitioner has joined investigation and cooperated with the investigating agency.

5. Learned State counsel, on instructions from ASI Gurbax 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.

6. In view of the above, the petition is allowed and interim order dated 06.11.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

10.01.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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