

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

228

CRM-M-58055-2023

Date of decision: 06.02.2024

Kirandeep Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Nirmaljeet Sindh Sidhu, Advocate
for the petitioner.

Mr. Mohit Kapoor, Addl. A.G., 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.74 dated 03.06.2022 under Sections 326/324/148/149 of the Indian Penal Code, 1860, registered at Police Station Dayalpura, District Bathinda.

2. On 20.11.2023, while noticing the following submissions made by the 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, inter alia, contends that a perusal of the FIR, which has been annexed as Annexure P-1, reveals that the petitioner was not named therein; in the FIR only accused Bishan Kumar alias Golu, Surinder Kumar alias Sajan, Jagdeep Singh and Gurpreet Singh were named; they were alleged to be armed with Swords; it had been alleged that 3/4 other persons were also accompanying them, however, it had been categorically stated that they were only armed with sticks.

He further inter alia submits that the petitioner came to be nominated as an accused in a supplementary statement vide Rapat No.36 dated 22.05.2023 and therein also the only role attributed to him was of inflicting stick

and fist blows on the person of the complainant.”

3. Learned counsel for the petitioner submits that in compliance of order dated 20.11.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Amrinder 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.

5. In view of the above, the petition is allowed and interim order dated 20.11.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

06.02.2024

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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