

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRM-M-59528-2023(O&M)
Date of decision: 12.02.2024

Jindu Singh @ Davinder Singh
...Petitioner
Versus

State of Punjab
...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Priyanshu Kamra, Advocate for the petitioner.
Mr. Neeraj Madaan, Sr. DAG., Punjab.

MAHABIR SINGH SINDHU, J.

Present petition under Section 438 of the Code of Criminal Procedure has been filed for grant of pre-arrest bail to the petitioner in FIR No. 0110, dated 04.11.2023, under Sections 458, 323, 506, 148 read with Section 149 of Indian Penal Code, 1860, registered at Police Station, Sadar Malout, District Sri Muktsar Sahib.

(2) Allegations are that petitioner along with other co-accused was armed with deadly weapons entered into complainant’s workshop on the pretext that complainant and other persons were consuming drugs and caused multiple injuries to Jyoti who was employed in the workshop of the complainant.

(3) This Court while issuing notice of motion on 24.11.2023, granted interim bail to the petitioner and which reads as under:-

*“Contends inter alia that there is a delay of more than one month in registration of the FIR and no other criminal case is pending against the petitioner.
Notice of motion.*

*Mr. Joginder Pal Ratra, Sr. DAG., Punjab accepts notice on behalf of the respondent-State and seeks time to have instructions and/or file written response in the matter.
Posted for 12.02.2024.*

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The

petitioner shall also abide by all the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”

- (4) Learned Counsel for the petitioner submits that in pursuance of the aforesaid order, petitioner has already joined the investigation and his custodial interrogation is not required.
- (5) Learned State Counsel on instructions from ASI-Surjit Singh submits that in pursuance of aforesaid order, petitioner has joined investigation and as on today, his custodial interrogation is not required.
- (6) In view of above, interim order dated 24.11.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
- (7) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
- (8) The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
- (9) It is made clear that in case of any recurrence on the part of the petitioner, the State of Punjab would be at liberty to move an application for recalling of this order.
- (10) Disposed off accordingly.
- (11) Pending application(s), if any, shall also stand disposed off.

12.02.2024
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

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