

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-60566-2023 (O&M)
Date of decision : 13.02.2024**

Jaswinder Singh @ Raju

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Ankush Rampal, Advocate for
Mr. Prince Sharma, Advocate for the petitioner.

Ms. Avneet, AAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of pre-arrest bail to the petitioner in FIR No.10 dated 09.01.2023, under Sections 323, 336, 506, 148 read with Section 149 of the Indian Penal Code, 1860 (Section 326 IPC added later on); Sections 25 & 27 of the Arms Act, 1959, registered at Police Station Chheharta, Tehsil & District Amritsar (Police Commissionerate Amritsar).

(2) Above FIR was registered on the basis of complaint made by Joginder Singh with the allegations that petitioner abetted co-accused to

commit the offences in question, who left the country and his servant was brutally injured and multiple injuries were received by the complainant party.

(3) This Court, while issuing notice of motion on 02.12.2023, granted interim bail to petitioner and the order reads as under:-

“It transpires that co-accused-Manjinder Singh @ Sagar, with similar allegations, has already been granted the concession of interim pre-arrest bail.

Notice of motion.

Mr. Jaiteshwar S. Bhandari, AAG, Punjab, accepts notice on behalf of the respondent-State and on instructions from ASI Sarwan Singh, apprised the Court that parties, i.e. the petitioner as well as complainant have amicably settled the dispute at their own level.

Posted for 13.02.2024.

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.

To be heard along with CRM-M-59925-2023.”

(4) Learned Counsel 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, acknowledged that petitioner has joined investigation and as on today, his custodial interrogation is not required.

(6) In view of above, interim order dated 02.12.2023 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 clarified that in case there is recurrence on the part of the petitioner, State would be at liberty to move an appropriate application for recalling of this order.
- (10) Disposed off accordingly.
- (11) Pending application(s), if any, shall also stand disposed off.

13th February, 2024
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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