

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

286

CRM-M-64462-2023 (O&M)
Date of order: 08.02.2024

Bittu Singh

.....Petitioner(s)

Vs.

The State of Punjab

.....Respondent(s)

CORAM: HON’BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Angrej Kumar, Advocate
for the petitioner.

Mr. C.L. Pawar, Addl. AG Punjab.

Nidhi Gupta, J.

Prayer in the present first petition under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in a case FIR No.112 dated 09.09.2022 registered under Sections 323, 354, 452, 506 and 34 IPC (Section 427 IPC added later on) at Police Station Bhindi Saidan, District Amritsar Rural (Annexure P1).

On 11.01.2024, Co-ordinate Bench of this Court had passed the following order:-

“1. Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No.112 dated 09.09.2022 registered under Sections 323/354/452/506/34 IPC 1860 (Section 427 IPC added later on) at Police Station Bhindi Saidan, District Amritsar Rural.

2. Learned counsel for the petitioner contends that as per the allegations, the petitioner was armed with datar. The petitioner has been attributed with simple injury. The petitioner has also sustained injuries. There are

allegations to the effect that the petitioner along with Bhola Singh, Gola Singh and Sukha Singh @ Surjit Singh had visited the house of the complainant and outraged the modesty of two minor daughters of the complainant. It has been further submitted that there is a delay of 22 days in lodging the FIR. It is a case of version and cross-version bearing GDR No.19 dated 10.09.2022, under Sections 323/324/354/452/ 506/34 IPC has also been registered at the instance of Amandeep Kaur, who is the wife of Gola Singh, co-accused with regard to the commission of offence under Sections 323/324/354/452/506 and 34 IPC. Subsequently, the offence under Section 326 IPC has also been added in the cross-version case. The injuries on the person of Bittu Singh-complainant are simple in nature. Furthermore, the co-accused, Gola Singh and Bhola Singh has been granted interim bail.

3. Notice of motion.

4. Ms. Ruchika Sabherwal, DAG, Punjab accepts notice on behalf of the respondent-State.

5. Adjourned to 08.02.2024.

6. Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he joins the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.”.

Learned State Counsel on instructions states that in terms of the order passed by Co-ordinate Bench of this Court, reproduced above, the petitioner has joined the investigation and no further interrogation is required at this stage.

In view of the above, the order dated 11.01.2024 granting interim bail to the petitioner is made **absolute**.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join the investigation and cooperate with the investigating agency in case he is required for the same in future and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

08.02.2024

Sunena

(Nidhi Gupta)

Judge

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