

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

201

2024:PHHC:020063

CRM-M-65325-2023

Date of decision: February 13th, 2024

Gulzar Singh @ Sabi

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Atul Jain, Advocate
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case bearing Rapat No.18 dated 09.06.2018 under Sections 323, 324, 325, 326, 506, 148, 149 of the IPC in FIR No.164 dated 27.05.2018 under Sections 323, 324, 325, 452, 447, 506, 511, 148, 149 of the IPC registered at Police Station Sultanpur Lodhi, District Kapurthala.

2. Vide order dated 27.12.2023, the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the petitioner has contended that the present case is of the nature of version and cross-version. He has submitted that the occurrence had taken place on 18.05.2018 and the FIR was registered against the accused on 27.05.2018. He submits that thereafter in order to falsely implicate the petitioner a cross case on the statement of Jaswinder Kaur, was registered. He has submitted that the lodging of the cross case after about 21 days shows the

false implication of the petitioner. He submits that it is a matter of trial to establish which party was the aggressor. He has submitted that even as per allegations the offence as alleged, is not made out against the petitioner.”

3. Learned counsel for the petitioner submits that in compliance of order dated 27.12.2023, the petitioner has joined investigation and cooperated with the investigating agency.
4. Learned State counsel, on instructions, 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 27.12.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

February 13th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No