

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

**CRM-M-60-2024 (O&M)
Date of decision : 21.02.2024**

Davinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Ranjit Singh, Advocate for
 Mr. Priyanshu Kamra, Advocate for the petitioner.

Mr. Neeraj Madan, Sr. DAG, 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.0110 dated 04.11.2023, under Sections 458, 323, 506, 148 read with Section 149 of the Indian Penal Code, 1860, registered at Police Station Sadar Malout, District Sri Muktsar Sahib.

(2) Above FIR was registered on the basis of complaint made by Rajinder Ram with the allegations that petitioner, along with co-accused, armed with baseball bat, entered into his Workshop after breaking its backdoor and gave baseball bat blows to him as well as his

employee/worker-Jyoti. Accused also threatened to kill the complainant party.

(3) This Court, on 10.01.2024, granted interim bail to petitioner and the order reads as under:-

“Contends inter alia that regarding the alleged occurrence, there is no MLR till date.

Learned State counsel seeks time to verify the above factual position.

Posted for 21.02.2024.

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 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, acknowledged that aforesaid petitioner has joined investigation and as on today, his custodial interrogation is not required.

(6) In view of above, interim order dated 10.01.2024 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.

21st February, 2024
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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