

2025:PHHC:006075



101.

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

CRM-M-32758-2024

Date of decision: 16.01.2025

Vija Singh @ Vijay Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Harpinder Singh Jalal, Advocate, for the petitioner.

Mr. H.S.Deol, Senior DAG, Punjab, with HC Harinder Kumar.

Mr. Parminder Singh, Advocate, for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.23, dated 22.05.2024, under Sections 341, 323, 148, 149 of IPC and Sections 25, 27 of Arms Act (Section 307 of IPC added lateron vide DDR No.22, dated 06.06.2024), registered at Police Station Nandgarh, District Bathinda.

On 02.09.2024, while noticing the following submissions made by the learned counsel for the petitioner, a Coordinate Bench of this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel for the petitioner has argued that injury attributed to the petitioner is on the shoulder, with dang, which is a blunt weapon. At the most it is under Section 325 IPC. The complainant-injured Arashdeep Singh was earlier

discharged from the hospital. Now, he has been again admitted in the hospital with the complaint of infected PFN, which has no co-relation with the injury attributed to the petitioner.”

Learned counsel for the petitioner submits that in compliance of order dated 02.09.2024, the petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel, on instructions, has not disputed the submissions made by the counsel opposite qua joining investigation nor has he, on instructions, disputed that the petitioner has been attributed an injury with a stick on his shoulder inviting the mischief of Section 325 of IPC. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

On pointed query posed to the learned State counsel as to whether the petitioner has any previous criminal antecedents, he, on further instructions, has replied in the negative.

In view of the above, the petition is allowed and interim order dated 02.09.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) of BNSS, 2023.

(MANJARI NEHRU KAUL)
JUDGE

January 16, 2025
sanjeev

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