2025:PHHC:014729

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

201

CRM-M-34452-2024
Date of decision: 31.01.2025

Gurjinder Singh @ Happy .....Petitioner

Versus

State of Punjab .....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Gobind Singh Randhawa, Advocate
for the petitioner.

Mr. Baljinder Singh, DAG, Punjab.

Mr. Manoj R. Sharma, Advocate
for the complainant.

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MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in cross case/GD No.28 dated 21.05.2024 under Sections 323, 324, 342, 506, 148, 149 of the IPC (Section 326 of the IPC added lateron) in FIR No.49 dated 21.05.2024 under Sections 323, 324, 341, 506, 148, 149 of the IPC (Section 326 of the IPC added lateron) registered at Police Station Fatehgarh Churian, Police District Batala, District Gurdaspur.

2. On 24.07.2024, 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 inter-alia submits that petitioner is accused in the cross*

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I attest to the accuracy and
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order/judgment

case/G.D.No. 28 dated 21.05.2024. The injury attributed to the petitioner is with the Kirch on the left side of neck of injured Dalbir Singh, which is simple injury. Later on, Section 326 IPC was added. There is no medical opinion with regard to said alleged injury which is attributed to the petitioner. The entire occurrence was recorded in CCTV cameras. He submits that infact the complainant party had attacked on the petitioner in broad day light when he was going to his job. The petitioner suffered four injuries out of which one injury was declared as grievous in nature and main FIR is registered against the other party. The occurrence took place at 9:04 a.m. on 16.05.2024 whereas complainant party of the cross-version got admitted in the hospital at 2:45 p.m."

3. Learned counsel for the petitioner submits that in compliance of order dated 24.07.2024, 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 24.07.2024, is made absolute subject to the conditions laid down in Section 482(2) of the BNSS.

31.01.2025 (**MANJARI NEHRU KAUL**)
Vinay **JUDGE**

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

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