

**Present: Vs. State of Punjab**

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**Court :** Punjab and Haryana

**Decided On :** Jan-13-2014

**Appellant :** Present:

**Respondent :** State of Punjab

**Judgement :**

Criminal Misc.No.M-34782 of 2013 1 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH Criminal Misc.No.M-34782 of 2013 Date of Decision: January 13, 2014 Harpreet Singh @ Kali .....Petitioner Versus State of Punjab .....Respondent CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA Present: Present Mr.Maninder Singh Bajwa, Advocate for the petitioner.

Mr.Vaibhav Sharma, Deputy Advocate General, Punjab.

Mr.Ram Parkash Dhir, Advocate for the complainant.

**TEJINDER SINGH DHINDSA, J.**

This is a petition under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.169 dated 8.7.2013 registered under Sections 324/341/506/148/149 of the Indian Penal Code (Section 326 of the Indian Penal Code added later on) at Police Station Tanda, District Hoshiarpur.

On 6.11.2013, the following order was passed by this Court: Learned counsel for the petitioner submits that the petitioner has also received injuries and it is a case of version and cross-version.

It is to be seen as to Malik Sushama Rani 2014.01.15 11:30 I attest to the accuracy and integrity of this document Criminal Misc.No.M-34782 of 2013 2 which of the party was more aggressive.

Learned State counsel submits that delay was there because talks of compromise were going on as injuries were received by both the parties.

In view of submissions made by learned counsel for the parties, the petitioner is directed to join the investigation and in the event of arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer.

He shall join the investigation as and when required by the Investigating Officer.

He shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under: i) that the petitioner shall make himself available for interrogation before investigating officer as and when required; ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer; iii) that the petitioner shall not leave India without the prior permission of the Court.

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Adjourned to 13.01.2014.

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Learned State counsel, upon instructions from ASI Balwinder Singh, would apprise the Court that the petitioner has since joined the investigation and even the weapon has been recovered.

It is not the case made out on behalf of the State that Malik Sushama Rani  
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Misc.No.M-34782 of 2013 3 the petitioner may hamper the prosecution or  
dissuade the witnesses from appearing in the trial proceedings.

In the light of the fact that the petitioner has already joined investigation, he is  
entitled to the concession of pre-arrest bail.

Accordingly, the order dated 6.11.2013 is made absolute.

The petitioner shall, however, remain bound by the conditions enumerated in  
Section 438(2) of the Code of Criminal Procedure.

Petition disposed of.

( TEJINDER SINGH DHINDSA ) January 13, 2014 JUDGE Sr.Malik Sushama  
Rani 2014.01.15 11:30 I attest to the accuracy and integrity of this document

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