



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208

CRM-M-3903-2025
Date of decision: 13.05.2025

Sunil Kumar @ Shilla

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Avtar S. Khinda, Advocate
for the petitioner.

Mr. Shiva Khurmi, AAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.16 dated 29.02.2024 under Sections 323, 324, 341, 506, 201, 148, 149, 120-B of the IPC (Section 326 of the IPC added lateron), registered at Police Station Dhilwan, District Kapurthala.

2. On 24.01.2025, 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:-

“Counsel for the petitioner inter alia submits that injury with regard to displacement or breaking of teeth of Sajan was declared grievous in nature after about 7 months of the registration vide DDR No.09 dated 28.08.2024. Counsel for the petitioner further submits that the said DDR was registered by the police in order to nullify the order of the Court of Additional Sessions Judge, Kapurthala of the same date whereby the application moved by the petitioner for deleting Section 326 of IPC in



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the concerned bail application was allowed and the Court concerned dismissed the bail application of the petitioner being not maintainable as all the other offences punishable under Sections 323, 341, 148, 149 of IPC were bailable offences and the Investigating Officer had informed the Court that Section 326 of IPC has not been added in the present FIR. The copy of the trial Court order is Annexure P-2.”

3. Learned counsel for the petitioner submits that in compliance of order dated 24.01.2025, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Paramjeet Singh, 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 24.01.2025, is made absolute subject to the conditions laid down in Section 438(2) of the Cr.P.C./482(2) of the BNSS.

13.05.2025

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**(MANJARI NEHRU KAUL)
JUDGE**

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