

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

Bail App No. 278/2021
CrlM No. 1651/2021
c/w
Bail App No. 316/2021
Bail App No. 2/2022
CrlM No. 13/2022
Bail App No. 127/2023
CrlM No. 758/2023

Pawan Singh

.....Appellant(s)/Petitioner(s)

Through: Mr. Arshad Majid Malik, Advocate
Mr. Ravi Abrol, Advocate.

vs

UT of J&K

..... Respondent(s)

Through: Mr. Sumeet Bhatia, GA.
Investigating Officer-PSI Rohit Sharma
(Present in person).

Coram: HON'BLE MR. JUSTICE JAVED IQBAL WANI, JUDGE

ORDER
24.12.2024

ORAL

1. Upon coming of this matter for consideration today, in terms of order dated 10.12.2024, Investigating Officer appears along with the CD file and would submit that the accused persons/petitioners herein are cooperating with the investigation and have not violated any of the terms and conditions set out by this Court in the orders passed by this Court on 14.09.2021, 12.10.2021, 14.01.2022 and 10.05.2023, whereby the accused persons/petitioners herein were granted interim bail. The Investigating Officer would further submit that the investigation of the cases is in progress and is likely to be concluded and expresses no objection in the event interim bail granted to the

accused persons/petitioners herein vide orders dated 14.09.2021, 12.10.2021, 14.01.2022 and 10.05.2023 is made absolute, however, subject to the terms and conditions set out by this Court in the said orders of interim bail.

2. Perusal of the record would reveal that the accused persons/petitioners herein, namely, Pawan Singh, Akhtar Hussain Shah and Asgar Hussain Shah have been implicated in FIR Nos. 0035/2021 dated 31.08.2021 registered with Police station, Chasana, District Reasi for offences under Sections 341, 353, 147, 149, 427, 382, 504, 506, 336, 120-B IPC. Further perusal of the record would reveal that accused persons/petitioners, namely, Dhal Devi and Prem Singh and Bikram Singh have been implicated in FIR Nos. 0036/2021 dated 01.09.2021 registered with Police Station, Chasana, District Reasi for offences under Sections 307, 353, 147, 336, 120-B IPC and Sections 3 and 30 of Arms Act. Record would tend to show that all the accused persons/petitioners herein came to be granted bail in anticipation of their arrest by this Court in terms of orders dated 14.09.2021, 12.10.2021, 14.01.2022 and 10.05.2023 (Supra), while having regard to the facts and circumstances of the case, inasmuch as the law on the subject laid down by the Apex Court in case titled as **Dataram Singh Vs. State of Uttar Pradesh and another** reported in **2018(3) SCC 22**.
3. Having regard to the aforesaid position obtaining in the matter, the instant applications, thus, deserve to be allowed and the interim bail granted in favour of the accused persons/petitioners herein in terms of

orders dated 14.09.2021, 12.10.2021, 14.01.2022 and 10.05.2023 required to be made absolute, however, subject to terms and conditions contained in orders (Supra).

4. Accordingly, the instant applications are allowed and orders dated 14.09.2021, 12.10.2021, 14.01.2022 and 10.05.2023 are made absolute and the accused persons/petitioners herein shall continue to avail the concession of bail in anticipation of their arrest in the FIR(s) (Supra), provided the accused persons/petitioners herein cooperate with the investigation being conducted in the matter and forbear from contacting any of the prosecution witnesses and also refrain from tampering with the evidence collected by the investigating agency, inasmuch leave the territorial jurisdiction of this Court without prior permission. Besides above, the petitioners herein shall also surrender their respective passports before the Investigating Officer.
5. **Disposed of along with the connected applications.**
6. A copy of this order shall be placed on record of each petition.

(JAVED IQBAL WANI)
JUDGE

Jammu
24.12.2024
Sahil Padha

Whether the order is speaking: Yes/No.
Whether the order is reportable: Yes/No.