

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

**C.R.M-M No.14386 of 2015
Date of Decision : 13.10.2015**

Dharminder Singh and others

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Amit Arora, Advocate
for the petitioners.

Ms. Amarjit Kaur Khurana, Addl.A.G., Punjab.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This is a petition under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioners in case FIR No.173 dated 04.10.2014 registered under Sections 379, 324, 323, 148, 149 IPC and Section 326 IPC (added later on), at P.S. Makhu, District Ferozepur.

On 04.05.2015 the following order was passed:-

“Learned counsel for the petitioners states that no specific injury has been attributed to petitioners except Sukhpal Singh. Even, the injury attributed to Sukhpal Singh is simple in nature. He further contend that the present case has only been got registered as a counter blast.

Notice of motion for 21.07.2015.

In the meanwhile, in the event of arrest of petitioners namely Dharminder Singh, Buta Singh and Amarjeet Singh, they shall be admitted to the interim anticipatory bail on the conditions that they will join the investigation as and when required by the Investigating Officer; that they will not directly or indirectly tamper with the prosecution evidence and that they will not leave India without the prior permission of the Court.”

Learned Additional Advocate General on instructions from the investigating officer states that though the petitioners have joined the investigation but the recovery of stolen Safeda Trees have still not been made.

Learned counsel for the petitioners has argued that other 3-4 co-accused had been arrested and thereafter released on regular bail and there are no allegations of any serious injury against the petitioners.

In these circumstances, without going into the merits of the case, I do not deem it appropriate to deny anticipatory bail to the petitioners.

Resultantly, the petition is allowed and the interim order dated 04.05.2015 is made absolute.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

October 13, 2015
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