

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16123-2015
Date of Decision: August 24, 2015

Karnail Singh and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr. Rajesh Bhatheja, Advocate,
for the petitioners.

Mr. K.S. Pannu, DAG, Punjab,
for the respondent.

Mr. Premjit Singh Dhaliwal, Advocate,
for the informant.

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?*

NARESH KUMAR SANGHI, J (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioners, namely, Karnail Singh, Lakhwinder Singh, Amarjit Singh, Sukhdarshan Singh, Nirbhai Singh, Lali Singh @ Gurpreet Singh, Manpreet Singh, Sat Kartar Singh, Harjit Singh, Pritam Singh, Bikaramjit Singh, Jagsir @ Karamjit Singh @ Kamma, Jagdip Singh, Jasbir Singh, Baljit Singh, Balwinder Singh, Baldev Singh and Gurdev Singh, who have been booked for having committed the offences punishable under Sections 148, 379, 447, 506 and 511 read with Section 149, IPC, and Section 3(1)(4) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, in a case

arising out of FIR No. 38, dated 1.5.2015, registered at Police Station, Mehna, District Moga.

Learned counsel contends that in compliance of the interim directions issued by this Court vide order dated 7.7.2015, the petitioners did join the investigation and their custodial interrogation is not required in view of documentary evidence in their favour.

Learned counsel for the State on instructions from HC Ashok Kumar of Police Station, Mehna, District Moga, very fairly concedes that the petitioners have joined the investigation and their custodial interrogation is not required.

Learned counsel for the informant though opposed the grant of anticipatory bail to the petitioners on the premise that an FIR has been registered against the petitioners for getting forged the entry in the revenue record in their favour, however, he could not substantiate as to why the custody of the petitioners is required.

In view of totality of the facts and circumstances of the case, the present petition is allowed. The interim directions issued by this Court vide order dated 7.7.2015 are made absolute. The petitioners shall continue to join the investigation as and when required to do so and abide by all the conditions laid down under Section 438(2), Cr.P.C.

(NARESH KUMAR SANGHI)
JUDGE

August 24, 2015
Pkapoor