

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

**Crl. Misc. No.M-20042 of 2015 (O&M)
Date of Decision: July 30, 2015.**

Nirmal Singh and others

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. G.S. Nahel, Advocate
for the petitioner (s).

Mr. P.S. Ghuman, Addl.A.G., Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No.109 dated 25.12.2014 registered for the offences punishable under Sections 341, 427, 447, 506, 5111, 148 read with Section 149 of Indian Penal Code (Section 3 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities), Act, 1989 was later added), at Police Station Sandaur, District Sangrur.

Heard.

Learned State counsel submits that the petitioners have joined the investigation and they are no more required by the police for further investigation of the case.

The instant FIR was registered on the statement of

complainant Mandeep Kaur levelling allegations that the petitioners cultivate their plot in an illegal manner and also assaulted her and the other persons present with her at the spot. The injuries were also caused by the accused named in the FIR.

From the allegations levelled in the FIR, it is yet to be seen by the police as to whether the provisions of Section 3 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities), Act, 1989 are attracted to this case.

Without expressing any opinion on the merits of the case and keeping in view the fact that the petitioners have joined the investigation and their custodial interrogation is no more required by the police, this petition is allowed and the order dated 18.06.2015 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioners shall make themselves available for interrogation by the police as and when required;
- (ii) that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioners shall not leave India without the prior permission of the Court.
- (iv) that the petitioners will seek regular bail on the presentation of challan in Court.

July 30, 2015.
Sachin M.

(SURINDER GUPTA)
JUDGE