

In the High Court of Punjab and Haryana at Chandigarh

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(1) Criminal Misc. No.M-33811 of 2015

.....

Date of decision:28.11.2015

Sukhwinder Singh alias Sukhi and others

.....Petitioners

v.

State of Punjab

.....Respondent

....

(2) Criminal Misc. No.M-38665 of 2015

.....

Satnam Singh

.....Petitioner

v.

State of Punjab

.....Respondent

....

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

Ms. Shivali, Assistant Advocate General, Punjab
for the respondent-State.

.....

Inderjit Singh, J.

This order will dispose of the above mentioned two petitions filed under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.77 dated 28.7.2015 registered for the offences under Sections 148, 149, 452, 354, 448, 427, 511 and 506 IPC and Section 8 of POCSO Act, 2012 at Police Station Bhagwantpur, District Rupnagar.

Learned counsel for the petitioners states that Balihar Singh-petitioner No.3 in Cr. Misc. No.M-33811 of 2015 has already been arrested, therefore, the petition qua him may be dismissed as withdrawn. Ordered accordingly.

Notice of motion has been issued in this case.

Ms. Shivali, learned Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition. Police record is also available.

I have heard learned counsel for the petitioners and learned Assistant Advocate General, Punjab appearing for the respondent-State and have gone through the record.

From the record, I find that the petitioners have already joined the investigation and they are not required for custodial interrogation. I have perused the FIR. The main allegation is regarding giving beating etc. by the accused and it is also mentioned that their clothes were also torn. No useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in these petitions and the same are allowed. The interim orders dated 21.10.2015 and 17.11.2015 passed in Cr. Misc. No.M-33811 of 2015 (except Balihar Singh-petitioner No.3) and Cr. Misc. No.38665 of 2015 respectively by this Court granting interim bail to the petitioners are made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

November 28, 2015.

(Inderjit Singh)
Judge

hsp