

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

**C.R.M-M No.14781 of 2016
Date of Decision : 26.07.2016**

Partap Singh and another Petitioners

versus

State of Punjab Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. M.S. Basra, Advocate
for the petitioners.

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

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case FIR No.96 dated 21.10.2015 registered under Section 323, 324, 506, 148, 149 IPC (Section 326 IPC added later on), at Police Station Ghoman, District Gurdaspur.

On 02.05.2016 the following order was passed:-

“Petitioners constituted an unlawful assembly and allegedly assaulted the complainant in a stadium. Petitioner No.1 was allegedly armed with a datar whereas petitioner No.2 was armed with a gandasi which were used from the reverse side on the arm and right side of waist of the complainant.

Petitioners claim that it is a case of cross-version registered at the instance of Gurminder Singh against petitioners as he had received grievous injury.

Notice to Advocate General, Punjab, for May 30, 2016.

Meanwhile, an interim direction is issued that the petitioner will join investigation on May 7, 2016 or any other day as required by the investigating officer and in case of his doing so, he will be released on interim bail to the satisfaction of the arresting officer.

Nothing said in this order will prejudice the rights of the investigating officer to effect recoveries, in accordance with law.”

Learned counsel for the petitioners states that pursuant to the order dated 02.05.2016 the petitioners have joined the investigation.

Learned Additional Advocate General on instructions from

H.C. Satnam Singh has accepted this fact and stated that the petitioners

In the circumstances, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioners in the present case. Ordered accordingly.

Resultantly, the interim order dated 02.05.2016 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

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

July 26, 2016
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No