

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

CRM-M -19673 of 2016 (O&M)
Date of decision: 14.09.2016

Avtar Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. J.S. Lalli, Advocate
for the petitioners.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Ranjit Singh.

Mr. P.S. Miglani, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioners have sought anticipatory bail in FIR No.81 dated 25.04.2016, registered under Sections 452, 323, 506 read with Section 34 IPC, at Police Station Shimlapuri, District Ludhiana City.

On 01.06.2016, this Court had passed the following order:-

“Counsel would submit that the petitioners herein and the complainant party are close relations. In the alleged occurrence that took place on 21.04.2016, the injuries suffered by the complainant had been opined to be simple in nature and Rapat No.38 dated 22.04.2016, under Sections 323, 506, 34 of Indian Penal Code was recorded. After four

days of the occurrence i.e. 25.04.2016 offence under Section 452 IPC has been added.

Notice of motion, returnable for 14.09.2016.

In the meanwhile, petitioners are directed to appear before the Investigating Officer and to join investigation.

In the event of arrest, the petitioners shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioners shall join investigation as and when called upon to do so and they shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

It is contended that in pursuance of the order dated 01.06.2016, the petitioners have joined the investigation.

The learned State counsel, on instructions submits that the petitioners have joined the investigation and they are not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 01.06.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

14.09.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable: Yes No