

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29628 of 2016
DECIDED ON: October 20, 2016

PARAMJIT SINGH @ MUSA AND ANOTHERPETITIONERS..

VERSUS

STATE OF PUNJABRESPONDENT..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Arnav Kumar Sood, Advocate,
for the petitioners.

Mr. J.S. Sekhon, AAG, Punjab.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Section 438 of the Code of Criminal Procedure, petitioners Paramjit Singh @ Musa and Kala have sought pre-arrest bail, feeling apprehension of their arrest, in case bearing FIR No.35, dated 21.05.2016, under Sections 452, 323, 148 and 149 IPC, Police Station Moti Nagar, Ludhiana

2. While issuing notice of motion on 26.08.2016, following order was passed by this Court:-

“Inter-alia, it has been contended by learned counsel for the petitioner No.1-Paramjit Singh that pre-arrest bail application moved by him has been dismissed solely on the ground that he did not join the investigation in compliance of order dated June 17, 2016 passed by the Vacations Judge, Ludhiana. Learned counsel further submits that petitioner could not join the investigation and comply with the order dated June 17, 2016 due to the reason that his

brother was seriously ill and subsequently he was taken away by nature on July 05, 2016.

Notice of motion for 20.10.2016.

In the meanwhile, petitioners are directed to join the investigation. In the event of arrest, petitioners shall be released on prearrest bail at the satisfaction of the Arresting Officer/Investigating Officer subject to the conditions, as envisaged under Section 438(2) Cr.P.C.”

3. Learned State counsel on instructions from ASI Meet Ram, Police Station Moti Nagar, Ludhiana, has submitted that the petitioners have joined the investigation in compliance of order dated 26.08.2016 and they are no more required for further investigation.

4. Taking into consideration the aforesaid aspects of the case but without expressing any opinion on the merits, the petition is allowed and order dated 26.08.2016 is made absolute and shall enure during the pendency of trial but subject to the conditions provided under Section 438 (2) Cr.P.C.

October 20, 2016
sonika

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether reportable: *Yes/No*