

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30343 of 2016
DECIDED ON: October 20, 2016

SUKHWINDER SINGH AND ANOTHERPETITIONERS..

VERSUS

STATE OF PUNJABRESPONDENT..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Vipin Mahajan, Advocate,
for the petitioners.

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

JASPAL SINGH, J (ORAL)

Through instant petition preferred under Section 438 of the Code of Criminal Procedure, petitioners Sukhwinder Singh and Jaswinder Singh have sought pre-arrest bail, feeling apprehension of their arrest, in case bearing FIR No.44, dated 04.08.2016, under Sections 326, 324, 323/34 IPC (later on added Section 326 IPC), Police Station Rangar Nangal, Police District Batala, District Gurdaspur.

2. While issuing notice of motion on 30.08.2016, following order was passed by this Court:-

“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 interim bail at the satisfaction of the Arresting Officer/Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

At this stage, Mr. Manjinder Singh, Advocate has put in appearance and filed power of attorney on behalf of the complainant.”

3. Learned State counsel on instructions from ASI Manbir Singh has categorically stated that the petitioners have joined the investigation in compliance of order dated 30.08.2016. They are no more required for further investigation as recovery of the weapon used during the course of alleged occurrence has already been effected.

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 30.08.2016 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
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether reportable: *Yes/No*