

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-4029 of 2016 (O&M)

Date of Decision: 02.05.2016

Avtar Singh & another

--Petitioners

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. J.S. Jaidka, Advocate for the petitioners.

Mr. D.S. Virk, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.317 dated 22.12.2015 under sections 307, 506, 34 I.P.C and sections 25, 27, 54 and 59 of Arms Act, registered at Police Station, Dakha, District Ludhiana.

On 4.2.2016, while issuing notice of motion, the following order was passed by this Court:-

“Counsel would inter alia submit that it is a case of no injury and in any case there is an unexplained delay in having lodged the F.I.R.

Notice of motion, returnable for 2.5.2016.

In the meanwhile, petitioners are directed to join investigation.

In the event of arrest, the petitioners shall be released on interim bail subject to the satisfaction of the Arresting Officer/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.”

Learned State counsel upon instructions from H.C. Sukhbeg Singh would apprise the Court that the petitioners have since joined investigation. State counsel further submits that investigation in the case already stands completed and the challan has been presented on 8.4.2016 and thereafter even charges have been framed on 30.4.2016.

Court has further been informed that the offence under Section 307 I.P.C has since been deleted and sections 336 I.P.C has been added vide DDR No.85-5A dated 5.2.2016.

Accordingly, the present petition is allowed. The order dated 4.2.2016, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

02.05.2016
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