

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-4077 of 2016 (O&M)

Date of Decision: 02.05.2016

Ghoka Singh & another

--Petitioners

Versus

State of Punjab

--Respondent

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

Present:- Mr. Sarwinder Goyal, 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 petitioners in case F.I.R. No.355 dated 11.12.2015 under sections 447, 448, 511, 379, 506, 34 I.P.C, registered at Police Station, City Barnala, District Barnala.

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

“Counsel would submit that the allegations against the present petitioners are with regard to an alleged theft of husk and sticks lying in the field of the complainant. It is submitted that against the backdrop of such allegations custodial interrogation of the petitioners would not be warranted as they, otherwise, would be ready and willing to join investigation.

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

CRM No. M-4077 of 2016 (O&M) -2-

shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel upon instructions from ASI Sukhminder Singh would apprise the Court that the petitioners have since joined investigation.

In the considered view of this Court, custodial interrogation of the petitioners, as such, would not be warranted. 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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