

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

Sr. No.203

CRM No. M-41748 of 2016

DECIDED ON: December 20, 2016

GURVINDER SINGH @ GERRY AND ANOTHER

..PETITIONERS

VERSUS

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. L.S. Sidhu, Advocate,
for the petitioners.

Mr. R.P.S. Sidhu, AAG, Punjab.

Mr. J.S. Sodhi, Advocate,
for respondent No.2-complainant.

JASPAL SINGH, J. (ORAL)

By virtue of instant petition preferred under Section 438 Cr.P.C., petitioners have sought pre-arrest bail, feeling apprehension of their arrest, in case bearing FIR No. 149, dated September 05, 2016, under Sections 307, 323, 341, 506, 148, 149 IPC, registered at Police Station Sadar Khanna, District Ludhiana, during pendency of the trial.

At the time of issuance of notice of motion on November 22, 2016, following order was passed by a Co-ordinate Bench of this Court:

“This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case FIR No.149 dated 05.09.2016, registered under Sections 307, 323, 341, 506, 148, 149 IPC at P.S. Sadar Khanna, Police District Ludhiana.

ANKUR GOYAL
2016.12.21 15:42
I attest to the accuracy and
integrity of this document

Learned counsel for the petitioners states that the matter has been settled and Section 307 IPC is not made out.

Notice of motion.

On the asking of the Court, Mr. Ashish Sanghi, Deputy Advocate General, Punjab, accepts notice on behalf of the respondent No.1.

Mr. J.S. Sodhi, Advocate has entered appearance on behalf of respondent No.2 and has accepted the aforesaid fact.

Learned counsel for the petitioners undertakes to supply a copy of the paper book to the learned opposite counsel during the course of the day.

Adjourned to 20.12.2016.

Keeping in view the fact that the matter has been settled, in the meantime, in the event of arrest of the petitioners they shall be released on interim bail by the investigating officer subject to the conditions envisaged under Section 438(2) Cr.P.C.”

On instructions from ASI Labh Singh, Learned State counsel has submitted that in compliance of order dated November 22, 2016 petitioners have already joined the investigation before the trial Court and they are no more required for further interrogation.

Accordingly, order dated November 22, 2016 is made absolute and shall enure during the pendency of trial.

However, petitioners shall abide by all the terms and conditions as envisaged under Section 438(2) Cr.P.C.

Disposed of.

December 20, 2016

Ankur

**(JASPAL SINGH)
JUDGE**

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No