

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

CRM No.M-41841 of 2015 (O&M)

Date of Decision: 16.02.2016

Hardayal Singh & another

... Petitioners

Versus

State of Punjab

... Respondent

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

Present:- Mr. B.D. Sharma, Advocate for the petitioners.

Mr. D.S. Virk, AAG, Punjab.

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TEJINDER SINGH DHINDSA.J.

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking the concession of anticipatory bail to the petitioners in case FIR No.214 dated 24.08.2015, under Sections 323/325/326/148/149/506 IPC, registered at Police Station Sultanwind, District Amritsar.

On 10.12.2015, while issuing notice of motion, the following order was passed by this Court:

“Prayer in this petition, filed under Section 438, Cr.P.C., is for grant of anticipatory bail to the petitioners, namely, Hardayal Singh son of Partap Singh and Hardeep Singh @ Gola son of Hardayal Singh, both residents of House No. 290-B, Kot Atma Ram, Sultanwind Road, Amritsar, who have been booked for having committed the offences punishable under Sections 148, 323, 325, 326 and 506 read with Section 149, IPC, in a case arising out of FIR No. 214, dated 24.8.2015, registered at Police Station, Sultanwind, District Amritsar.

Learned counsel contends that only exhortation has

been attributed to the petitioners. He further submits that during pendency of the anticipatory bail application before learned Additional Sessions Judge, Amritsar, the petitioners were granted ad-interim bail and in pursuance thereof they did appear before the Investigating Officer, but due to vendetta he (Investigating Officer) did not record the presence of the petitioners.

Notice of motion for 16.2.2016.

In the meanwhile, in the event of their arrest, the petitioners shall be released on ad-interim bail, subject to furnishing of personal bonds in the sum of Rs.25,000/- (Rupees twenty-five thousand only) with one surety in the like amount, by each one of them, to the satisfaction of the Arresting Officer.

The petitioners shall join the investigation as and when required to do so and abide by all the conditions laid down under Section 438(2), Cr.PC. ”

Learned State counsel upon instructions from ASI Rakesh Kumar would apprise the Court that the petitioners have since joined investigation and are not required for custodial interrogation.

Accordingly, the present petition is allowed. Order dated 10.12.2015 passed by this Court is made absolute.

16.02.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**