

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-43103 of 2015 (O&M)
Date of Decision: 06.01.2016

Harmandar & another

--Petitioners

Versus

State of Punjab

--Respondent

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

Present:- Mr. S.P.S. Sidhu, Advocate for the petitioners.

Ms. Anmol Grewal, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C seeking concession of pre-arrest bail only in respect of petitioner no.2 namely Manjinder Singh son of Darshan Singh in case F.I.R. No.79 dated 11.11.2015 under sections 326, 324, 295, 295-A, 506, 34 I.P.C, registered at Police Station, Mallanwala, District Ferozepur.

While issuing notice of motion, the following order was passed by this Court on 19.12.2015:-

“Learned counsel states that in a similar petition this Court had granted anticipatory bail to a person who was not accused of a serious offence. In the present case also he has fairly stated that injury attributed to petitioner No.1 is a grievous injury while that attributed to petitioner No.2 is a simple injury. He states that qua petitioner No.1 he would not press this petition but liberty may be granted to him to surrender before the trial Court and move an application for regular bail and that a direction be also issued to the Court to decide the said application expeditiously.

I find this to be a fair request.

Allowed as prayed for.

Let the petitioner No.1 surrender before the trial Court on 22.12.2015 and move an application for regular bail

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which shall be decided by the Court expeditiously but in any case within two days.

Petition stands disposed of in the above terms qua petitioner No.1.

Notice of motion qua petitioner No.2.

On the asking of the Court, Ms.Amarjit Kaur Khurana, Addl.AG, Punjab, accepts notice on behalf of respondent-State.

Learned counsel for the petitioner No.2 undertakes to supply a copy of the petition to the learned Addl.AG during the course of the day.

Adjourned to 06.01.2016.

In the meantime, in the event of arrest of petitioner No.2., he shall be released on interim bail by the investigating officer to his satisfaction subject to the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Sukhpal Singh would apprise the Court that petitioner no.2 has since joined investigation on 27.12.2015 and even the recovery of a knife has been effected. It has also gone uncontroverted that the only injury attributed to petitioner no.2 has been opined to be simple in nature.

Accordingly, the present petition is allowed. The order dated 19.12.2015, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

06.01.2016
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