

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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CRM No.M-43214 of 2015
Date of decision:14.01.2016

Surinder Singh and another

... Petitioners

Vs.

State of Punjab

... Respondent

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

Present: Mr. Parminder Singh Sekhon, Advocate
for the petitioners.

Mr.R.S.Randhawa, Addl.A.G.,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.287 dated 07.10.2015, under Sections 452, 323, 34 IPC, registered at Police Station City Sangrur, District Sangrur.

On 21.12.2015, while issuing notice of motion, the following order was passed by this Court:-

“Petitioners seek pre-arrest bail in FIR No. 287 dated 7.10.2015 under Sections 452/323/34 IPC, registered at Police Station Sangrur, District Sangrur. Learned counsel for the petitioners submits that since the complainant and petitioner No.1 are using same courtyard, there was no scope of levelling allegations for the offence under Section 452 IPC. He further submits that petitioner No.1 and complainant are real brothers and FIR came to be registered after three days of the alleged occurrence. In such a situation, custodial interrogation of the petitioners would not be required. Notice to the Advocate

General, Punjab, for 14.1.2016. In the meantime, in the event of arrest, the petitioners shall be released on interim anticipatory bail to the satisfaction of arresting/investigating officer, subject to the conditions provided under Section 438 (2) Cr.P.C. At the first instance, petitioners shall join the investigation on or before 25.12.2015 and cooperate with the investigation agency. The petitioners are also directed to join the investigation, thereafter, as and when required by the investigation agency, by issuing a notice under Section 160 Cr.P.C.”

Learned State counsel upon instructions from ASI Jagshir Singh has apprised the Court that the petitioners have since joined investigation and as such they are no longer required for custodial interrogation.

Accordingly, the present petition is allowed. Order dated 21.12.2015 passed by this Court is made absolute.

Disposed of.

14.01.2016
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(TEJINDER SINGH DHINDSA)
JUDGE