

Sr. No.206

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No.M-43277 of 2015 (O&M)
Date of Decision: 17.05.2016

Gurmit Singh and others

... Petitioners

Versus

State of Punjab

... Respondent

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

Present:- Mr. Sandeep Arora, Advocate,
for the petitioners.

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

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioners in case FIR No.130 dated 08.06.2015, under Sections 295, 34 of the Indian Penal Code, registered at Police Station Tanda District Hoshiarpur.

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

“Learned counsel for the petitioners submits that the dispute between the petitioners and the complainant is of civil in nature as a suit filed by petitioner No.1 is pending wherein interim order has been passed in his favour. Learned counsel further submits that the complainant party was having grudge against the petitioners because of that civil litigation and a complaint was also made against the complainant as house of accused-Gurmit Singh (petitioner No.1) was ransacked

and injuries were caused to his father. FIR No.128 dated 06.06.2015 under Sections 323, 452, 427, 506, 448 and 149 IPC was registered at Police Station Tanda against the complainant party. Thereafter, the present FIR has been registered on 08.06.2015 i.e., after a delay of six days as the occurrence took place on 02.06.2015. Learned counsel also submits that the petitioners belong to scheduled caste and there was no occasion to commit such like offence. The petitioners are ready to join investigation.

Notice of motion for 23.02.2016.

Meanwhile, the petitioners are directed to join investigation and in the event of arrest, they shall be released on interim bail to the satisfaction of the Investigating Officer. They shall join the investigation as and when required by the Investigating Officer. They shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under:-

(i)that the petitioners shall make themselves available for interrogation before investigating officer as and when required;

(ii)that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;

(iii)that the petitioners shall not leave India without the prior permission of the Court.”

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

In view of the above, prayer made in the present petition is accepted.

Order dated 21.12.2015, passed by this Court, is made absolute.

Disposed of.

17.05.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**