

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

CRM No.M-459 of 2016 (O&M)

Date of Decision: 01.03.2016

Harmail Singh @ Harmal & another

... Petitioners

Versus

State of Punjab

... Respondent

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

Present:- Mr. K.B.S. Mann, Advocate for
Mr. Vivek Goel, Advocate for the petitioners.

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

....

TEJINDER SINGH DHINDSA.J.

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.241 dated 05.12.2015, under Sections 452/323/34 IPC, registered at Police Station City Ferozepur, District Ferozepur.

On 08.01.2016, while issuing notice of motion, the following order was passed by this Court:

“The present petition has been filed under Section 438 Cr.P.C praying for grant of anticipatory bail to the petitioners in case FIR No.241 dated 5.12.2015 registered under sections 452, 323 & 34 I.P.C at Police Station, City Ferozepur, District Ferozepur.

Counsel would inter alia contend that there is false implication inasmuch as there is a crucial delay of three days in registration of the F.I.R. The alleged occurrence is stated to have taken place on 2.12.2015, whereas the F.I.R was registered on 5.12.2015. That apart, it has been stated that the main accused i.e. Pargat Singh i.e. brother of petitioner no.1 and who was alleged to be armed with a sharp weapon has

already been taken into custody. It is further contended that the injuries allegedly attributed to the petitioners have been opined to be simple in nature.

Notice of motion, returnable for 1.3.2016.

In the event of arrest, the petitioners shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioners shall join investigation as and when called upon to do so and they shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

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

It has also gone uncontroverted that the injuries attributed to the present petitioners have been opined to be simple in nature.

In view of the above, the present petition is allowed. Order dated 08.01.2016 passed by this Court is made absolute.

Disposed of.

01.03.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**