

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

**CRM No.M-11690 of 2017 (O&M)
Date of Decision:09.05.2017**

Gurbhej Singh @ Gurpal Singh @ Pintu & another ... Petitioners

Versus

State of Punjab ... Respondent

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

Present:- Mr. Ashish Aggarwal, Advocate for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

...

TEJINDER SINGH DHINDSA, J.

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioners in case FIR No.32, dated 11.05.2016, under Sections 457/380/427/511 IPC, registered at Police Station Goindwal Sahib, District Tarn Taran.

While issuing notice of motion on 06.04.2017, the following order was passed by this Court.

“The instant petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioners in case FIR No.32, dated 11.05.2016, under Sections 457/380/427/511 IPC, registered at Police Station Goindwal Sahib, District Tarn Taran.

Counsel would submit that the names of the present petitioners do not even figure in the FIR. It is during the course of investigation and after one month of the date of alleged occurrence that the petitioners are sought to be implicated on the statement of one Surinder Pal Singh, Ex.

Chairmain and before whom the petitioners are stated to have made an extra judicial confession.

Notice of motion, returnable for 09.05.2017.

In the meanwhile, petitioners are directed to appear before the Investigating Officer and to join investigation.

In the event of arrest, the petitioners shall be released on interim bail subject to satisfaction of the Arresting/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 Manmohan Singh would apprise the Court that the petitioners have since joined investigation. That apart, the observations contained in the notice of motion order have not been rebutted.

Under such circumstances, custodial interrogation of the petitioners would not be warranted.

Prayer made in the present petition is allowed. Order dated 06.04.2017 passed by this Court is made absolute.

Disposed of.

09.05.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |