

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

**Crl. Misc. No.M-17460 of 2017 (O&M)
Date of Decision: September 27, 2017**

Varinder Singh and others

.....PETITIONER(s).

VERSUS

State of Punjab

...RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sukhjit Singh, Advocate
for the petitioner (s).

Mr. Luvinder Sofat, A.A.G. Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No. 24 dated 12.03.2017 registered for the offences punishable under Sections 323, 324, 341, 427, 506, 148 read with Section 149 of Indian Penal Code (for short IPC) (Section 307 IPC added later on) at Police Station Jodhan, Ludhiana.

Heard.

Learned State counsel on instructions from HC Balwinder Singh submits that petitioner Varinder Singh has joined the investigation which is still in progress. However, custodial interrogation of petitioner No. 1-Varinder Singh is no more required. Petitioners Sandeep Singh @ Seepu and Ravinder Singh @ Laddi have been attributed simple injuries.

The recovery of base ball bat with which the injuries were caused, is yet to

be effected for which their custodial interrogation is required. The injury attracting provision of Section 307 IPC is attributed to co-accused Manpreet @ Manna.

The petitioners have joined the investigation but the recovery of some weapon allegedly used in the occurrence has not been effected, is no reason to decline the benefit of bail to them.

Keeping in view the role attributed to petitioners in occurrence, the fact that investigation is still in progress, presenting of challan and trial will take considerable time, this petition is allowed and the order dated 17.05.2017 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioners shall make themselves available for interrogation by the police 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 accusation against them 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.
- (iv) that the petitioners will seek regular bail on the presentation of challan in Court, which the trial Court will decide on the basis of evidence collected during investigation.

September 27, 2017
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No