

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

205

**CRM-M-1765 of 2017 (O&M)
Date of Decision: April 19, 2017**

Harwinder Singh @ Kala and another

....Petitioners

vs.

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Amit Dhawan, Advocate
for the petitioners.

Ms. Harpreet K. Athwal, DAG, 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 F.I.R. No.165 dated 13.08.2016 under sections 452, 323, 324, 427 and 34 IPC, registered at Police Station Basti Bawa Khel, District Jalandhar.

On 27.01.2017, while issuing notice of motion, the following order was passed by this Court:-

“During the course of arguments today, it has gone uncontroverted that the role attributed to the present petitioners are of having caused simple injuries upon the complainant and by use of a blunt weapon.

List on 19.04.2017.

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

In the event of arrest, the petitioners shall be released on interim bail subject to the 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 Jatinder Kumar would apprise the Court that the petitioners have since joined investigation. The observations made by this Court in the order dated 27.01.2017 have gone un-rebutted.

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

Prayer made in the present petition is accepted.

Accordingly, the order dated 27.01.2017, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

19.04.2017
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***Whether speaking/reasoned* : Yes**
***Whether reportable* : No**