

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

**CRM No.M-1850 of 2017 (O&M)
Date of Decision: 01.03.2017**

Gurvinder Singh @ Rana & others ... Petitioners

Versus

State of Punjab ... Respondent

2.CRM No.M-2572 of 2017 (O&M)

Akash & another ... Petitioners

Versus

State of Punjab ... Respondent

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

Present:- Mr. K. S. Sodhi, Advocate and
Mr. Sandeep Arora, Advocate for the petitioner(s).

Ms. Harpreet K. Athwal, DAG, Punjab.

....

TEJINDER SINGH DHINDSA, J.

This order shall dispose of CRM-M-1850-2017 (Gurvinder Singh @ Rana & others Vs. State of Punjab) and CRM-M-2572-2017 (Akash & another Vs. State of Punjab) as both these petitions have been filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail in case FIR No.276 dated 22.12.2016, under Sections 452/427/451/379/506/148/149 IPC, registered at Police Station Division No.7, Jalandhar.

While issuing notice of motion on 23.01.2017 in CRM-M-1850-2017, the following order was passed by this Court:

“Notice of motion.

*At the asking of the Court, Mr. Sumandeep Singh Walia,
DAG Punjab accepts notice on behalf of the respondent-State.*

Adjourned to 01.03.2017.

Learned counsel for the petitioners is directed to supply copy of the petition to the learned State counsel during the course of the day.

Record, if any, be produced on the next date of hearing.

In the meanwhile, petitioners are directed to join investigation in this case within seven days from today and in that event, the petitioners be admitted to bail on their furnishing requisite bail bonds and surety bonds to the satisfaction of Investigating Officer / Station House Officer concerned. The petitioners shall abide by the conditions as envisaged under Section 438(2) Cr.P.C. The petitioners are also directed to cooperate with the investigating agency qua the investigation of this case as and when required.”

Likewise, in CRM-M-2572-2017, the notice of motion order dated 27.01.2017 reads as under:

“Notice of motion for 01.03.2017.

To be heard along with CRM-M-1850-2017.

Meanwhile, petitioners are directed to join the investigation as and when called by the Investigating Officer. In the event of their arrest, they shall be released on bail by the Investigating Officer on their furnishing bail bonds/sureties to his satisfaction, subject to the conditions mentioned below, as envisaged in Section 438(2) Cr.P.C :-

- i. a condition that the persons shall make themselves available for interrogation by Police Officer as and when required;*
- ii. a condition that the persons 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. a condition that the persons shall not leave India without the previous permission of the Court*
- iv. such other condition as may be imposed under sub section (3) of Section 437, as if the bail were granted under that section.”*

Learned State counsel who is on instructions from ASI Surinder Singh makes a statement that the petitioners in these two connected petitions have already joined investigation and that they are not required for any custodial interrogation.

In the light of such categoric stand taken by the State, both the petitions are allowed.

The order dated 23.01.2017 in CRM-M-1850-2017 and order dated 27.01.2017 in CRM-M-2572-2017 passed by this Court are made absolute.

Disposed of.

01.03.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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