

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

Sr. No.202-3

CRM-M No.2778 of 2017
Date of decision : 26.05.2017

Shashi Kumar and another

....Petitioners

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Amardeep Singh Gill, Advocate
for the petitioners.

Mr. Neeraj Yadav, AAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

Through the present petition filed under Section 438 Cr.P.C., the petitioners seek the concession of anticipatory bail in FIR No.247 dated 17.12.2016, registered under Sections 323, 341, 452, 427, 506, 148, 149 IPC (Section 308 IPC added later on), at Police Station Sadar Jalandhar, District Police Commissionarate Jalandhar.

On 27.01.2017, while issuing notice of motion, this Court had granted ad-interim anticipatory bail to the petitioners subject to the satisfaction of the Arresting officer.

Seeking anticipatory bail for the petitioners, learned counsel submits that the petitioners have been falsely implicated in this case; there is no other criminal case in which the petitioners are involved; petitioner No.2, who is a lady of 50 years of age, has been attributed no specific injury; petitioner No.1 has been attributed only simple injuries; the matter between the petitioners and complainant has been compromised; under the interim orders of this Court, the petitioners have not only joined investigation, they have fully cooperated with the investigating agency and since the challan has already been filed, the petitioners are no longer needed for investigation purposes.

Learned State counsel, on instructions from ASI Bhagwant Singh, admits that the petitioners have joined investigation; have fully cooperated with the investigating agency; they are no longer required for further questioning and that the matter between the petitioners and the complainant has been compromised.

Since the petitioners are not involved in any other criminal case; petitioner No.2, who is a lady of 50 years of age, has been attributed no specific injury; petitioner No.1 has been attributed only simple injuries; they have already joined investigation; have fully cooperated with the investigating agency; as per the learned State counsel, they are not required for any further questioning and the matter between the petitioners and the complainant has been compromised, I am of the opinion that the petitioners deserves to be granted anticipatory bail.

Resultantly, the present petition is allowed and the order dated 27.01.2017 granting ad-interim anticipatory bail to the petitioners is made absolute subject to the condition prescribed under Section 438(2) Cr.P.C.

Nothing observed herein above shall be considered to be an expression of opinion by this court on the merits of the case.

If during the period that the bail is granted to the petitioners, they are found indulging in any other criminal activity/misusing the concession of bail, it will be open to the State to move an appropriate application before the competent Court/this Court for cancellation of the granted bail to the petitioners through this order.

(DEEPAK SIBAL)
JUDGE

May 26, 2017

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