

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

**Crl. Misc. No.M-28574 of 2017 (O&M)
Date of Decision: November 02, 2017**

Lakhvir Singh @ Lakha and others

.....PETITIONER(s).

VERSUS

State of Punjab

...RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Prateek Pandit, Advocate
for the petitioner (s).

Mr. V.G.Jauhar, Sr. D.A.G., Punjab.

Mr. Vivek K.Thakur, Advocate
for the complainant.

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. 224 dated 24.11.2016 registered for the offences punishable under Sections 323, 324, 452 read with Section 34 of Indian Penal Code (for short IPC) (326 IPC added later on) at Police Station Kotwali, District Kapurthala.

Heard.

Learned State counsel on instructions from HC Jaswant Singh submits that it is a case of cross-version. The petitioners have surrendered before the police and joined the investigation, which is still in progress. The recovery of weapon has also been effected from them. The accused in the

main FIR are also on anticipatory bail. The custodial interrogation of petitioners is no more required for the purpose of further investigation.

In view of submission of learned State counsel but without expressing any opinion on the merits of the case, this petition is allowed and the order dated 04.08.2017 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.

November 02, 2017

Jyoti-II

**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No