

CRM-M-31678-2017
DATE OF DECISION: 12.10.2017

... Petitioner(s)

Versus

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. D.S. Malwai, Advocate
for the petitioners.

Mr. Sandeep Vermani, Addl.A.G., Punjab.

Mr. B.D. Sharma, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking anticipatory bail in FIR No.238 dated 01.07.2017, under Sections 323, 341, 379, 148 and 149 of the IPC (Section 308 of the IPC added later on), registered at Police Station Phillaur, District Jalandhar Rural.

Learned counsel for the petitioners contends that petitioner No.1 is 15 years of age and the petitioner No.2 is less than 18 years of age. The petitioners approached the Court of Additional Sessions Judge for bail instead of approaching the Juvenile Court and upon the rejection of their anticipatory bail, they have approached this Court. He has drawn my attention to copies of the birth certificates of both the petitioners which are appended as Annexures P-2 and P-3. The injuries attributed to the petitioners are alleged to have been caused by the wooden logs and are simple in

nature. Learned counsel contends that the injury on the basis of which, Section 308 of the IPC was added, is not attributed to the petitioners as per the allegations in the FIR.

This Court, by the order dated 28.08.2017, had directed the petitioners to join the investigation and in the event of their arrest, they were to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from ASI Parminder Singh, states that the petitioners have joined investigation.

In view of the submissions of learned counsel for the petitioners and keeping in view the fact that the petitioners are below 18 years of age and have joined the investigation, the order dated 28.08.2017 granting interim bail to the petitioners is made absolute.

However, the petitioners shall abide by the conditions stipulated under Section 438(2) Cr.P.C. They shall also join investigation as and when called upon to do so.

The petition stands disposed of.

12.10.2017*SwarnjitS***(ANUPINDER SINGH GREWAL)
JUDGE**

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