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IN THE HIGH COURT OF PUNJAB & HARYANA
CHANDIGARH

1. CRM No. M- 35956 of 2016 (O&M) Date of Decision: 12.01.2017

Surjit Singh

--Petitioner

Versus

State of Punjab

--Respondent

2. CRM No. M- 36458 of 2016 (O&M)

Sukhbir Singh @ Sukha

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. Rishu Mahajan, Advocate
 for the petitioner.

Ms. Harpreet K. Athwal, DAG, Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of CRM No. M-35956 of 2016 (Surjit Singh Vs. State of Punjab) and CRM No. M-36458 of 2016 (Sukhbir Singh @ Sukha Vs. State of Punjab) as both these petitions have been filed under Section 438 Cr.P.C seeking the benefit of anticipatory bail to the petitioners in case F.I.R. No.80 dated 13.05.2014 under sections 323, 353, 186, 148, 149 I.P.C, registered at Police Station, Sadar Jalandhar.

Learned counsel for the parties have been heard.

While issuing notice of motion in CRM No. M-35956 of 2016, the following order was passed by this Court on 07.10.2016:-

“Learned counsel for the petitioner relies upon order dated 19.09.2016 passed by this Court in CRM-M-31678-2016 titled as Amarpreet Singh and another Versus State of Punjab wherein the coaccused of the petitioner have been granted bail.

Notice of motion for 12.01.2017.

In the meantime, in the event of arrest of the petitioner, he shall be released on ad-interim bail to the

CRM No. M- 35956 of 2016 (O&M) -2-

satisfaction of the arresting officer. However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.”

Likewise, notice of motion order dated 17.10.2016 passed by this Court in CRM No. M-36458 of 2016 reads in the following terms:-

*“Learned counsel for the petitioner relies upon order dated 19.09.2016 passed by this Court in **CRM-M-31678 of 2016** titled as **Amarpreet Singh and another Versus State of Punjab** wherein the coaccused of the petitioner have been granted bail.*

Notice of motion for 12.1.2017.

In the meantime, in the event of arrest of the petitioner, he shall be released on ad-interim bail to the satisfaction of the arresting officer. However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from A.S.I. Surinder Pal makes a statement that the petitioners in both these connected petitions have since joined investigation and that the injuries suffered by the complainant have been declared to be simple in nature.

Yet another fact that has gone uncontroverted is that Amarpreet Singh and Hardeep Singh co-accused have already been granted concession of anticipatory bail vide order dated 07.10.2016 passed in CRM No. M-31678 of 2016.

In the considered view of this Court, custodial interrogation of the petitioners, as such, would not be warranted. Accordingly, the present

petitions are allowed. The orders dated 07.10.2016, passed in CRM No. M-35956 of 2016 and dated 17.10.2016 passed in CRM No. M-36458 of 2016, are made absolute.

Petitions disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

12.01.2017

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Whether speaking/reasoned:	Yes
Whether Reportable:	Yes