

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

CRM-M-17619-2017 (O&M)

Date of decision: 16.01.2018

Rajnish Kumar & another

... Petitioners

Vs.

State of Punjab

... Respondent

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

Present: Mr. Lalit Pathak, Advocate for the petitioners.

Ms. Jaspreet Kaur, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

This order shall dispose of the instant petition seeking concession of anticipatory bail to the petitioners in case FIR No.35, dated 05.05.2016, under Sections 307/382/341/323/427/506/148/149 IPC, registered at Police Station City Raikot, District Ludhiana.

While issuing notice of motion on 18.05.2017, the following order was passed by this Court:

“Petitioners seek concession of pre-arrest bail in case FIR No.35, dated 05.05.2016, under Sections 307/382/341/323/427/506/148/149 IPC, registered at Police Station City Raikot, District Ludhiana.

Counsel would submit that the injury suffered by Naushad on his head and which has attracted offence under Section 307 IPC is specifically attributed to Ranjit Kumar, co-accused/non-applicant. Petitioner No.1 herein has been attributed an iron rod blow which hit on the calf of left leg of the complainant. Insofar as petitioner No.2 is concerned, no injury/over act has been attributed. Further submitted that co-accused, Raghunandan God and Varinder Singh have been

granted concession of anticipatory bail by this Court in the light of order dated 16.05.2017 passed in CRM-M-9674-2017.

Notice of motion, returnable for 29.08.2017.

In the meanwhile, petitioners are directed to appear before the Investigating Officer and to join investigation.

In the event of arrest, the petitioners shall be released on interim bail subject to satisfaction of the Arresting/Investigating Officer. The petitioners shall join investigation as and when called upon to do so and they shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Sarbjeet Kaur apprises the Court that the petitioners have since joined investigation.

That apart, the observations made by this Court in the notice of motion order have gone un rebutted.

Under such circumstances, custodial interrogation of the petitioners would not be warranted.

Petition is allowed. Order dated 18.05.2017 passed by this Court is made absolute.

Disposed of.

16.01.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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