

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

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**Crl. Misc. No.M-3500 of 2018 (O&M)
Date of decision : 20.08.2018**

Amandeep Singh @ Raipi and anr.

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Harkaran Singh, Advocate
for the petitioners.

Mr. Jagmohan Ghumman, DAG, Punjab.

ANITA CHAUDHRY, J.

Petitioners are seeking anticipatory bail in FIR No.279 dated 29.12.2017, registered under Sections 354-B, 354-D, 324, 506, 341, 148, 149 IPC (Section 326 IPC added later on) at Police Station City South Moga, District Moga.

The State counsel had informed that petitioner no.2 had failed to get the recovery effected and the allegations against him are under Section 326 IPC.

Petitioner no.1 had joined the investigation. Petitioner no.2 was again directed to join the investigation and last opportunity was granted to him.

Counsel for the petitioners contends that petitioner no.2 has joined the investigation and recovery has been effected.

The State counsel informs that petitioner no.2 did not co-operate and the weapon with which the injury was caused was not got recovered and custodial interrogation would be required.

Petitioner no.1 had joined the investigation and had cooperated. Looking to all these circumstances, but without commenting on the merits of the case, the interim order dated 07.02.2018 granting interim bail to petitioner no.1 is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

So far as petitioner no.2 is concerned, he has failed to cooperate. Despite last opportunity he had not got the recovery effected. Custodial interrogation would be necessary for recovery of the weapon used in crime. The petition qua him is dismissed.

Accordingly, the petition is disposed of.

20.08.2018

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**(ANITA CHAUDHRY)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No