

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

Crl. Misc. M-36938 of 2018 (O&M)
Date of Decision: November 19, 2018

Sarwan Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. D.R. Punia, Advocate
for the petitioners.

Mr. Ajay Pal Singh Gill, DAG Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioners in FIR No.105 dated 05.06.2018, under Sections 452, 354, 354-A, 323, 509, 148, 149 of the Indian Penal Code, registered at Police Station City Phagwara, District Kapurthala.

Learned counsel for the petitioners contends that the petitioners are falsely implicated in the present case and on the direction of this Court, have joined the investigation. It is also contended that nothing is to be recovered from them.

At this stage, Mr. Shivender Sharma, Advocate puts in appearance on behalf of the complainant and files the power of attorney, which is taken on record and opposes the confirmation of anticipatory bail

of the petitioners.

On the other hand, learned State counsel, on instructions from the Investigating Officer, submits that the petitioners have joined the investigation and they are not required for the custodial interrogation.

In view of the facts that the petitioners are not required for custodial interrogation and have joined the investigation, without commenting on the merits of the case, the petition is allowed and order dated 28.08.2018 granting interim bail to the petitioners 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.

November 19, 2018
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No