

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

**CRM-M No.38159 of 2018
Date of Decision: 04.12.2018**

Sukhchain Singh @ Sooba Singh and Anr.

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Vivek Salathia, Advocate for the petitioners.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.0093 dated 13.07.2018, under Sections 307, 323, 148, 149 of the Indian Penal Code, 1860 and Section 3 & 4 of the SC & ST Act, 1989 (added later on) and Section 25 & 27 of Arms Act, 1959, registered at Police Station Ghall Khurd, District Ferozepur.

This court while issuing notice of motion on 04.09.2018 passed the following order:-

“Learned counsel for the petitioners submits that though in the FIR, both the petitioners are alleged to be armed with dang but no corresponding injury attributed to them was found on the person of injured. The offences punishable under Sections 3 and 4 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 were not mentioned in the FIR and no casteist words have been attributed to petitioners.

Notice of motion for 04.12.2018.

Petitioners are directed to surrender before the police and join investigation within two weeks. In the event of their arrest being required, they shall be released on interim bail till the next date, subject to their furnishing bonds to the satisfaction of Arresting Officer. However, they shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. failing which they shall lose the benefit of interim bail allowed to them.”

Learned Counsel for the petitioners stated that in pursuance of order dated 04.09.2018 of this Court, both the petitioners have joined the investigation and their custodial interrogation is no longer required.

The above factual position is duly acknowledged by learned State Counsel, on instructions from ASI Baljinder Singh, Police Station Ghall Khurd, by submitting that the petitioners have joined the investigation and recovery was effected and their custodial interrogation is no longer required in this case.

In view of above, the interim order dated 04.09.2018 is made absolute, subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

December 04, 2018

Sunil Devi

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No