

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

Crl. Misc. M-38018 of 2017 (O&M)
Date of Decision: May 03, 2018

Kewal Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. P.S. Ahluwalia, Advocate
for the petitioners.

Mr. A.S. Sandhu, Addl. AG 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 a cross-version recorded vide DDR No.2 dated 10.09.2017 at Police Station Pasiana, District Patiala for the offence punishable under Sections 323, 341, 354, 342, 427, 148, 149 of Indian Penal Code in FIR No.112 dated 09.09.2017, registered at Police Station Pasiana, District Patiala for offence punishable under Sections 323, 324, 341, 148, 149 of Indian Penal Code.

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. Mandeep Singh, Advocate puts in appearance on behalf of the complainant and files the power of attorney, which is taken on record and opposes the grant of anticipatory bail to the petitioners, while submitting that the offences alleged against the petitioners are serious in nature.

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

I have heard learned counsel for the parties.

In view of the facts that the petitioners are not required for custodial interrogation and have joined the investigation, apart from taking note of the fact that the injuries attributed to the petitioners herein are simple in nature, at this stage, without commenting on the merits of the case, the petition is allowed and order dated 09.10.2017 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.

May 03, 2018

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes
Yes/No