

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

Criminal Misc. No. M-40028-2018

Date of Decision: 14.11.2018

Abhimanyu and another

.. Petitioners

Vs.

State of U.T. Chandigarh

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Anandeshwar Gautam, Advocate for the petitioners.

Mr. Lalit K. Gupta, Addl. P.P. for U.T. Chandigarh.

...

Inderjit Singh, J.(Oral)

Petitioners-Abhimanyu and Jatinder Singh have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.148 dated 17.07.2018, registered at Police Station Sector-3, Chandigarh, under Sections 147, 149, 323, 452, 506 and 34 of Indian Penal Code.

Notice of motion has been issued in this case.

Learned counsel for U.T. Chandigarh has appeared on behalf of respondent-U.T. Chandigarh and contested this petition.

I have heard learned counsel for the petitioners as well as learned counsel for U.T. Chandigarh and have gone through the record.

As per the prosecution version, the petitioners have already joined the investigation. They are not required for custodial interrogation. Otherwise also, learned counsel for the petitioners has brought to the notice of this Court that a quashing petition on the basis of compromise has already been filed, which is pending before this Court for 06.12.2018.

As the petitioners have already joined the investigation in

compliance of order dated 13.09.2018 and they are not required for custodial interrogation, no useful purpose would be served by sending them to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 13.09.2018, granting interim bail to the petitioners, is made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

14.11.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No