

CRM-M-43806-2018

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

CRM-M-43806-2018

Date of Decision: 29.10.2018

Dalbir Singh @ Veeru and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Rishu Mahajan, Advocate,
for the petitioners.

Mr. Pawan Sharda, Sr. DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioners-Dalbir Singh @ Veeru and Kawaljit Singh @ Gopi have filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.177 dated 19.08.2018, registered at Police Station Jandiala, Amritsar, under Sections 307 and 34 of the Indian Penal Code, Section 25 of the Arms Act, 1959 and Section 61 of the Punjab Excise Act, 1914.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioners as well as learned State counsel and gone through the record.

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From the record, I find that though the present petitioners are named in the FIR, yet there is nothing that they were armed with any weapon nor any active role has been played by them. It is a case of no injury. They are not the main accused.

In pursuance of the interim order dated 05.10.2018 passed by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. Nothing is to be recovered from them. Therefore, no useful purpose will 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 05.10.2018, 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.

29.10.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No