

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision: 14.12.2018

1. CRM-M-49186-2018

Avtar Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

2. CRM-M-48456-2018

Maninder Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Nagar Singh, Advocate for the petitioner(s).

Ms. Monika Jalota, DAG, Punjab.

...

Inderjit Singh, J. (Oral)

This order shall dispose of CRM-M-49186-2018, filed by petitioner-Avtar Singh and CRM-M-48456-2018, filed by petitioner-Maninder Singh, under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.124 dated 27.08.2018 (wrongly typed in impugned order as 27.08.2017), registered at Police Station Dasuya, District Hoshiarpur under Sections 323, 341, 308 and 34 of the Indian Penal Code.

Notice of motion was issued in both these petitions.

Learned State counsel put in appearance on behalf of the respondent-State and contested these petitions.

I have heard learned counsel for the petitioner(s) as well as

learned State counsel and have gone through the record.

Perusal of the record shows that present petitioners Avtar Singh and Maninder Singh have been named in the FIR. Avtar Singh is stated to be armed with datar, whereas Maninder Singh is stated to be armed with danda. As per the prosecution version, both these petitioners have caused simple injuries with blunt weapons. No injury has been declared dangerous to life which was caused by any of the accused.

In pursuance of the interim orders dated 02.11.2018 and 01.11.2018 passed by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. 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 both these petitions and the same are allowed. The orders dated 02.11.2018 and 01.11.2018 granting interim bail to the petitioners, are 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.

14.12.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No