

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52674-2018

Date of Decision: 21.12.2018

Gursewak Singh and others

.. Petitioners

Vs.

State of Punjab and another

..Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Prashant Vashisth, Advocate for the petitioners.

Mr. Mr. Pawan Sharda, Sr. DAG, Punjab.

...

Inderjit Singh, J. (Oral)

Petitioners have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.198 dated 20.06.2018, registered at Police Station Dakha, Ludhiana (Rural), under Sections 336/450/294/506/427/148/149 of the Indian Penal Code read with Section 25 of the Arms Act, 1959.

Notice of motion was issued.

Learned State counsel has appeared on behalf of respondent-State and contested this petition.

Learned counsel for the petitioners wants to give up respondent No.2 being unnecessary party.

Ordered accordingly.

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

The allegation as per the FIR is that petitioner Gursewak Singh had fired in the air only by entering into the house of complainant Opinder

Singh and had also given abuses and caused damage to Micra car of complainant. It is a no injury case. There is no active role in the FIR qua petitioners-Satwant Singh and Amritpal Singh.

In pursuance of the interim order dated 30.11.2018, 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. 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 30.11.2018, 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.

21.12.2018

Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No