

**CRM-M-53175-2018 and
CRM-M-53230-2018**

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

Date of Decision: 20.12.2018

1. CRM-M-53175-2018

Hardev Singh (wrongly written as Hari Dev Singh in FIR)

... Petitioner

Versus

State of Punjab

... Respondent

AND

2. CRM-M-53230-2018

Jagdeep Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Karan Garg, Advocate,
for the petitioners in both the petitions.

Mr. Pawan Sharda, Sr. DAG, Punjab.

INDERJIT SINGH, J. (Oral)

This order shall dispose of CRM-M-53175-2018, filed by
petitioner-Hardev Singh and CRM-M-53230-2018, filed by petitioner-
Jagdeep Singh, under Section 438 of the Code of Criminal Procedure, 1973
(for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.131 dated

**CRM-M-53175-2018 and
CRM-M-53230-2018**

19.09.2018 registered under Sections 395, 353, 186, 188, 148 and 149 IPC, Sections 134 and 135 of Representation of People Act, 1957 and Section 3 of the Prevention of Damage to Public Property Act, 1984, at Police Station Dayalpura District Bathinda.

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 petitioners as well as learned State counsel and gone through the record.

From the record, I find that FIR was got registered by Amanpreet Singh, Junior Engineer, PUDA, Bathinda, who was on election duty as Presiding Officer alongwith other officials. On 19.09.2018 in Zila Parishad and Block Samiti Elections, about 50-60 persons armed with sharp edged weapons and *dangs* entered inside Room No.17 and captured the booth. Both the petitioners are named in the FIR.

In pursuance of the interim orders dated 03.12.2018 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 both these petitions and the same are allowed. The orders dated 03.12.2018, granting

**CRM-M-53175-2018 and
CRM-M-53230-2018**

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.

20.12.2018
parveen kumar

**(INDERJIT SINGH)
JUDGE**

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