

207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.6723 of 2019 (O&M)
Date of decision:-September 27, 2019

Joginder Pal Batra and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. S.K. Garg Narwana, Sr. Advocate with
Mr. Japjit S. Johal, Advocate for the petitioners.

Mr. Gaurav Garg, Sr. DAG, Punjab.

Mr. D.K. Bhatti, Advocate for the complainant.

ANIL KSHETARPAL J. (Oral)

On 13.02.2019, the following order was passed:

“Learned senior counsel for the petitioners submits that there is unexplained delay of five days in registration of the FIR and the petitioners have been implicated on the basis of general allegations whereas neither they were named in the FIR nor any specific role has been attributed to them. Only simple allegations are there that 25-30 persons were raising allegations against government/corporation employees as well as government leaders. The petitioners have been implicated subsequently on the basis of supplementary statement. Nothing is to be recovered from the petitioners and they are ready to join investigation.

Notice of motion.

On asking of the Court, notice on behalf of respondent-State has been accepted by Mr. Amit Mehta, Sr. DAG, Punjab.

Mr. D.K. Bhatti, Advocate appears on behalf of the complainant and opposes grant of anticipatory bail to

the petitioners on the ground that the petitioners are the notorious persons and many cases are pending against them. However, learned counsel for the complainant has not brought to the notice of this Court any case under the SC/ST Act against the petitioners.

Copy of the petition be supplied to learned State counsel as well as counsel for the complainant during course of the day.

Adjourned to 01.03.2019.

Meanwhile, the petitioners are directed to join investigation and in the event of arrest, they shall be released on interim bail to the satisfaction of the Investigating Officer. They shall also join investigation as and when required by the Investigating Officer. They shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under:-

(i)that the petitioners shall make themselves available for interrogation before investigating officer as and when required;

(ii)that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;

(iii)that the petitioners shall not leave India without the prior permission of the Court.”

Learned counsel for the State, on instructions from ASI Harjinder Singh, has submitted that the petitioners have joined investigation, co-operated and not required for further custodial interrogation at this stage.

Shri D.K. Bhatti, Advocate for the complainant-first informant has strongly opposed grant of concession.

In view of the statement made by the Investigating Officer, the order dated 13.02.2019 is made absolute.

September 27, 2019

(ANIL KSHETARPAL)
JUDGE

sarita	
Whether speaking/reasoned	Yes
Whether reportable	No