

CRM-M-13976-2019

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

CRM-M-13976-2019

Date of Decision: 29.04.2019

Nashatar Singh and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Jagjit Singh, Advocate,
for the petitioners.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioners-Nashatar Singh and Gurbinder Singh @ Goldi 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 cross case Diary No.20 dated 02.04.2018, under Sections 307, 323, 148 and 149 of the IPC and Sections 25 and 27 of the Arms Act, 1959, in FIR No.38 dated 01.04.2018, registered at Police Station Ajnala, District Amritsar (Rural), under Sections 307, 323, 148 and 149 of the IPC.

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.

CRM-M-13976-2019

From the record, I find that it is a case of version and cross-version. The present petitioners are named in the cross-version. However, no injury has been attributed to them, nor any weapon has been shown with them.

In pursuance of the interim order dated 28.03.2019 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 this petition and the same is allowed. The order dated 28.03.2019, 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.

29.04.2019

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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