

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

**CRM-M No.15447 of 2019 (O&M)
Date of Decision: 06.05.2019**

Balkar Singh and others

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Varinder Basa, Advocate for the applicants/petitioners.

Mr. Sandeep Kumar, Deputy Advocate General, Punjab
for the respondent.

MAHABIR SINGH SINDHU, J. (Oral)

CRM No.14847 of 2019

Application is for adding the offence punishable under Section 326 of the Indian Penal Code (*for short 'IPC'*) in the prayer clause as well as head note of the main petition. Further prayer is for releasing the applicants/petitioners on pre-arrest bail under Section 326 IPC also as this Court, vide order dated 04.04.2019 (A-1), already granted the concession of pre-arrest bail to the applicants/petitioners in FIR No.22 dated 21.03.2019, under Sections 452, 323, 148, 149, IPC (Section 324, IPC added later on), registered at Police Station Qadian, Police District Batala, District Gurdaspur.

Upon notice, learned State Counsel has no objection in case the present application is allowed as prayed for.

In view of above, the present application is allowed and applicants/petitioners are also granted the concession of pre-arrest bail under Section 326, IPC in addition to Sections 452, 323, 148, 149, IPC (Section 324, IPC added later on), as already granted to them, vide order dated 04.04.2019.

Registry to do the needful.

MAIN CASE

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case FIR No.22 dated 21.03.2019, under Sections 452, 323, 148, 149, IPC (Section 324, IPC added later on and Section 326, IPC added vide aforesaid application CRM-14847-2019), registered at Police Station Qadian, Police District Batala, District Gurdaspur.

This Court, on the previous date of hearing i.e. 04.04.2019, passed the following order:-

“ Contends that all the alleged injuries were simple in nature.

Notice of motion for 06.05.2019.

In the meanwhile, the petitioners are directed to join the investigation before the Investigating Officer. In the event of their arrest, the Arresting Officer would admit them to interim bail in the present case till the next date of hearing on their furnishing adequate bail and surety bonds to his satisfaction. The petitioners are also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C. ”

Learned State Counsel, on instructions from ASI Kuldeep Singh, has apprised the Court that in pursuance of the above order, petitioners have

joined the investigation and their custodial interrogation is no longer required.

In view of above, interim order dated 04.04.2019 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

It is made clear that the petitioners shall fully co-operate with the Investigating Officer as and when called for further investigation.

The observations may not be considered as an expression of opinion on the merits of the case.

May 06, 2019
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No