

282

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.R.M-M No.16161 of 2019
Date of Decision : 08.05.2019

Amrik Singh and another

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Rakesh Kumar, Advocate
for the petitioners.

Mr. Ramandeep Sandhu, Sr. D.A.G., Punjab.

AJAY TEWARI, J. (Oral)

Prayer in the present petition filed under Section 438 of the Cr.P.C. is for grant of anticipatory bail to the petitioners in case FIR No.41 dated 13.09.2018 registered under Sections 323, 324, 452, 148, 149, 506 IPC and under Section 326 IPC (added later on) at P.S. Kabirpur (Ahalikalan), District Kapurthala.

Counsel for the petitioners has argued that no overt action has been attributed to the petitioners.

Learned Sr. Deputy Advocate General on instructions from ASI Rajinder Singh has accepted that no overt action has been attributed to the petitioners but has argued that Section 326 IPC is a serious offence .

Counsel for the petitioners has countered this by arguing that

the persons who allegedly caused injuries had been arrested and released on bail.

Learned Sr. Deputy Advocate General has accepted this fact.

Keeping in view the entire conspectus of facts, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioners.

Resultantly, the petition is allowed. In the event of arrest of the petitioners, they shall be released on bail by the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

The petitioners are directed to appear before the investigating officer on 20.05.2019 and on any other date as and when their presence are required. In case the petitioners do not appear before the investigating officer in the aforesaid manner the present petition would be deemed to have been dismissed.

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

May 08, 2019
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No