

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

**CRM-M-50356-2018
Date of decision: 29.05.2019**

Raj Kumar @ Raju and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Amit Dhawan, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Sanjeev Duggal, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No. 0211 dated 28.10.2018 registered under Sections 325, 452, 427, 34 of the IPC at Police Station Nakodar Sadar, District Jalandhar.

The operative part of the order dated 16.11.2018, vide which the petitioners have been granted interim bail, is reproduced below:

“Learned counsel for the petitioners submits that incident pertains to 13.10.2018, whereas the FIR has been registered on 28.10.2018. It is further submitted that as per allegations in the FIR, the injuries sustained by the complainant were simple in nature and Sections 325, 452 IPC have been added later on, while registering the FIR.

Notice of motion for 08.01.2019.”

Learned counsel for the petitioners submits that the petitioners, in pursuance to the order dated 16.11.2018, have already appeared before

the SHO/Investigating Officer and have joined the investigation.

Learned counsel for the State, on instructions from ASI Manjit Singh, submits that on the direction of S.S.P., Jalandhar, S.P. (Hq.), Jalandhar has verified the investigation and it is found that offence under Section 354 IPC is not made out. Learned State counsel further submits that challan stands presented and petitioners are no more required for any further investigation.

Learned counsel for the complainant has, however, opposed the prayer of the petitioners on the ground that a perusal of the FIR shows that offence under Section 354 IPC is made out and the inquiry is not fair.

Be whatsoever, considering the statement made by learned State counsel and also in view of the fact that challan stands presented and the petitioners are no more required for any further investigation, the present petition is allowed and the interim bail granted to the petitioners, vide order dated 16.11.2018, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

29.05.2019

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No