

CRM-M No.53505 of 2018

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

**CRM-M No.53505 of 2018
Date of Decision: 23.01.2019**

Kuldeep Singh @ Khandi and another Petitioners

Versus

State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr.Prateek Pandit Advocate for the petitioners.
Mr. Sandeep Kumar, DAG, Punjab.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioners in case FIR No.88 dated 11.10.2016, under Sections 323,325,341,427,452,506,148 and 149 of the Indian Penal Code, 1860 registered at Police Station Subhanpur, District Kapurthala.

While issuing notice of motion, this court passed the following order on 04.12.2018:-

“Contends that the only offence which is non bailable is under Section 452 IPC and since the occurrence is alleged to have taken place in a public place, therefore, prima facie Section 452 IPC is not made out.

Notice of motion for 23.01.2019.

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

Learned State Counsel, on instructions from ASI Surat Singh

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has acknowledged that in terms of the previous order the petitioners have joined the investigation and their custodial interrogation is no longer required in this case.

In view of above, the interim order dated 04.12.2018 is made absolute, subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

23.01.2019

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**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>