

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc.-M-25196 of 2019
Date of Decision: September 13, 2019.

Tarsem Singh and another

.....Petitioners

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE ANIL KSHETARPAL.

Present: Mr.G.S.Kaura, Advocate, for the petitioners.
Mr.Bhupender Beniwal, AAG, Punjab.
Mr.Siddharth Gupta, Advocate, for the complainant.

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Anil Kshetarpal, J. (Oral)

On 29.08.2019, the following order was passed:-

“Prayer in the petition is to grant anticipatory bail to the petitioners in FIR No.12 dated 19.01.2019 registered under Sections 308/34 of the Indian Penal Code at Police Station Civil Lines, District Bathinda.

From the reading of the FIR, it is apparent that motor vehicular accident took place when the accused/petitioner was moving car in reverse gear and in that process, negligently hit the first informant-injured.

After hearing arguments of learned counsel for the parties at great length, this Court is of the considered opinion that petitioners should be directed to join investigation on 02.09.2019 at 10.00 AM at Police Station Civil Lines, District Bathinda.

Adjourned to 13.09.2019.

In the meantime, in the event of arrest, the petitioners shall be released on interim bail subject to their furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation on 02.09.2019 at 10.00 AM at Police Station Civil Lines, District Bathinda and shall

abide by the conditions as provided under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from ASI Manjeet Singh, has submitted that the petitioners have joined the investigation and cooperated and they are not required for further custodial interrogation at this stage.

Learned counsel for the first informant-injured opposes the application on the ground that after the accident, the injured was given beatings.

Be that as it may. In the facts of the present case, once the State counsel has made the statement that petitioners are not required for further custodial interrogation at this stage, there is no reason to refuse continuation of the protection granted.

In view of the above, the interim order dated 29.08.2019 is made absolute subject to the provisions of Section 438(2) Cr.P.C.

However, it is clarified that the petitioners shall continue to cooperate with the trial Court and shall not seek any unnecessary adjournment.

The petition stands disposed of.

September 13, 2019

mohinder

(ANIL KSHETARPAL)

JUDGE

Whether speaking/reasoned

:

Yes/No

Whether Reportable

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Yes/No