

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

213-3

CRM-M-26694 of 2019

Date of Decision: October 03, 2019

Himmatpreet Singh @ Hema & Anr.

.....Petitioners

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MANOJ BAJAJ

Present: Mr. Atul Goyal, Advocate, for the petitioners.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Mr. G.S. Kaura, Advocate for the complainant.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.99 dated 20.04.2019 under Sections 323, 341, 506, 148, 149 of IPC (Section 307 of IPC added later on) registered at Police Station Sadar Khanna, District Khanna. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 13.06.2019 whereby the interim protection were extended to the petitioners. The said order reads as under:-

“Notice of motion for 11.07.2019.

In the meanwhile, petitioners are directed to surrender before the Arresting/Investigating Officer and join the investigation. On doing so, they shall be released on interim bail subject to payment of Rs.25,000/- each by

way of bank drafts to the injured Amrik Singh and Dalbir Singh as interim compensation. The said drafts shall be deposited with the Area/Duty Magistrate, who shall summon the injured and hand over the same to them. The aforesaid amount will be without prejudice to the rights of the parties and shall be subject to the final outcome of the trial. They are also directed to furnish bonds to the satisfaction of Arresting/Investigating Officer. However, they shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C. failing which they shall lose the benefit of interim bail allowed to them.”

Learned counsel for the petitioners further contends that in deference to the said order, the petitioners submitted themselves before the Police and joined the investigation. According to him, the petitioners cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Charanjit Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Charanjit Singh further states that the petitioners are not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 13.06.2019 is made absolute.

October 03, 2019
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[MANOJ BAJAJ]
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/No