

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-29477-2019 (O & M)
Date of Decision: October 17, 2019

SANJIV CHAWLA AND OTHERS

.....PETITIONERS

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Ashok Saini, Advocate for the petitioners.

Mr. K.K. Bheniwala, Addl. AG, Punjab.

Mr. Dinesh Mahajan, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioners are seeking anticipatory bail in FIR No.50, dated 01.06.2019, under Sections 307, 326, 452, 323, 324, 325, 506, 148, 149 of the IPC (Sections 325, 326 & 307 IPC were added later on), registered at Police Station City Division No.2, Pathankot.

On the last date of hearing, learned counsel for the petitioners had contended that there is unexplained delay of eight days in registering the FIR which is outcome of political rivalry between the parties.

Learned State counsel, upon instructions from SI Harjinder Singh, states that the injury which is attributed to petitioner No.2-Hatinder Saini is on the head of the complainant-Abhishek Mahajan and has been found to be simple in nature.

This Court, by the order dated 16.08.2019, had directed petitioners No.1 and 3 to appear before the Investigating Officer and join the investigation and in the event of their arrest, they were ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from SI Harjinder Singh, states that petitioner No.1 and 3 have joined investigation and are not required for custodial interrogation.

In view of the submissions of learned counsel for the petitioners and petitioners No.1 and 3 having joined investigation, the order dated 16.08.2019 granting interim bail to petitioner No.1 and 3 is made absolute.

However, petitioners No.1 and 3 shall abide by the conditions stipulated under Section 438(2) Cr.P.C. They shall also join investigation as and when called upon to do so.

The petition stands disposed of qua petitioner No.1 and 3.

The petition stands dismissed qua petitioner No.2 as he has caused injury on the head of the complainant.

(ANUPINDER SINGH GREWAL)
JUDGE

October 17, 2019
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No