

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M-31797 of 2019

Date of Decision: 02.12.2019

Jagraj Singh and another

.....Petitioners

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MANOJ BAJAJ

Present: Mr. Gopal Singh Nahel, Advocate for the petitioners.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Mr.P.K.S.Phoolka, 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.92 dated 04.05.2019 under Sections 306, 506 and 149 IPC registered at Police Station Nathana, District Bathinda. The petitioners apprehended their arrest at the hands of Police.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 19.08.2019 whereby the interim protection was extended to the petitioners. The said order reads as under:-

“Learned counsel for the petitioners contends that the allegations of beating are not against the petitioners who are stated to be present at the spot at the time of occurrence. According to the learned counsel, the dispute was between two brothers and in the given facts custodial interrogation of the petitioners may not be necessary.

Notice of motion for 02.12.2019.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

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 Jaswinder Singh does not dispute this fact that the petitioners have joined the investigation. Learned counsel on instructions from ASI Jaswinder 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 19.08.2019 is made absolute.

The petition stands allowed.

02.12.2019
Anjal

[MANOJ BAJAJ]
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/No