

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

CRM-M-33358 of 2019

Date of Decision: 20.09.2019

Baljinder Pal Singh and orsPetitioners
Versus
State of Punjab ...Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: None for the petitioners.

Mr. Harpreet Singh Multani, AAG, Punjab.

MAHABIR SINGH SINDHU, J.(Oral)

Present petition has been filed under Section 438 Cr.P.C. seeking pre arrest bail in case FIR No.0068 dated 25.07.2018, under Sections 379, 148 &149 of the Indian Penal Code and Sections 25 & 27 of the Arms Act, 1959 (Sections 447 and 427 IPC added later on) registered at Police Station Mallanwala, District Ferozepur.

On 19.08.2019 while issuing notice of motion the following order was passed by this Court:

“ Contends that there is delay of one and a half months in lodging the present FIR.

Notice of motion for 20.09.2019.

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

Learned State counsel on instructions from ASI Resham Singh has acknowledged the above factual position and stated that the

custodial interrogation of the petitioners is no longer required in the present case and even the weapon used in the commission of crime has already been recovered.

In view of the above, order dated 19.08.2019 is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off.

However, it is made clear that above observations may not be construed as an expression of opinion on the merit of the case pending before learned trial Court.

[MAHABIR SINGH SINDHU]
JUDGE

September 20, 2019

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Whether speaking/reasoned
Whether reportable?

Yes/no
Yes/no