

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

**CRM-M No.35223 of 2019 (O&M)
Date of Decision: 16.12.2019**

Kashmir Singh and others

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Sherry K. Singla, Advocate for the petitioners.

Mr. Harpreet Singh Multani, AAG, Punjab
for the respondent/State.

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

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioners in case bearing FIR No.93 dated 02.07.2019, under Sections 323, 324, 341, 506, 148, 149 of the Indian Penal Code, 1860 (Section 326, IPC added later on), registered at Police Station Amargarh, District Sangrur.

This Court, while issuing notice of motion on 28.08.2019, passed the following order:-

“ *Contends that grievous injury attracting Section 326 IPC has been attributed to co-accused Jarnail Singh and not to the petitioners.*

Notice of motion for 22.10.2019.

In the meanwhile, the petitioners are directed to join the investigation before the Investigating Officer. In the event of their arrest, the Arresting Officer would admit them to interim bail 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. ”

Contends that in terms of the above order, petitioners have joined the investigation.

Learned State Counsel, on instructions from A.S.I. Sarabjit Singh, has acknowledged that in terms of order dated 28.08.2019, petitioners have joined the investigation and their custodial interrogation is not required. Also stated that there is no other criminal case pending against the petitioners.

In view of above, interim order dated 28.08.2019 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

It is also made clear that petitioners shall fully co-operate with the Investigating Officer as and when called for further investigation.

Disposed off accordingly.

December 16, 2019
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>