

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

CRM-M-41289-2019 (O&M)

Date of decision : 20.11.2019

Vijay Gharu and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. R.S. Bajaj, Advocate for the petitioners.

Mr. Hittan Nehra, Additional Advocate General, Punjab
alongwith ASI Niranjan Singh.

ANIL KSHETARPAL, J. (ORAL)

On 25.09.2019, following order was passed by this Court:-

“Petitioner prays for grant of pre-arrest bail in FIR No.93, dated 08.08.2018, registered under Sections 379-B/ 326 /452 /427 /448/ 323/324/506/511/148/149 IPC, at Police Station Lambra, District Jalandhar Rural.

Learned counsel for the petitioners while drawing attention of the Court to Annexure P-1, Medical Certificate, dated 21.01.1994 submits that petitioner No.1-Vijay Gharu son of Sh. Shinder Pal is orthopaedically disabled with permanent disability to the extent of 60% and therefore, case against the petitioner no.1 is false. He further submits that at the time of alleged occurrence, petitioner no.2 was not present at the spot. He submits that civil suit for partition is pending as there is a dispute between the coowners.

Notice of motion for 20.11.2019.

On asking of the Court, Mr. Bhupender Beniwal, AAG, Punjab accepts notice on behalf of the State. A copy of the petition be handed over to Mr. Bhupender Beniwal, AAG, Punjab, during the course of the day.

In the meantime, in the event of arrest, the petitioners shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C. ”

Learned counsel for the State, on instructions from ASI Niranjan Singh, has submitted that the petitioners have joined investigation, cooperated and not required for further custodial interrogation.

In view thereof, order dated 25.09.2019 passed by this Court is made absolute.

Accordingly, the present petition is allowed.

20.11.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No