

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.16576 of 2020

Date of Decision: October 06, 2020

Kuljeet Singh & another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. K.B.Raheja, Advocate for
Mr. Sumeet Puri, Advocate,
for the petitioners.

Mr. Ramdeep Partap Singh, DAG, Punjab.

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.201 dated 25.05.2020, under Section 61/1/14 Excise Act, 1914, registered at Police Station, Sadar Dhuri, District Sangrur. The petitioners apprehended their arrest at the hands of police in the above FIR.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 25.06.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“Learned counsel for the petitioner contends that initially the FIR was registered for the offences punishable under Sections 323 and 324 IPC read with Section 34 IPC and subsequently, offences punishable under Section 325 and 326 IPC were added. It is pointed out that the allegations against the petitioner are that she caused a simple injury by hurling a brick bat upon injured Jagdev Singh. He submits that her both the sons are in custody, therefore, in these given facts, the

custodial interrogation of the petitioner, who is a lady may not be necessary.

Notice of motion for 06.10.2020.

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

Learned counsel for the petitioner 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 does not dispute this fact that the petitioners have joined the investigation. Learned counsel, on instructions from HC Paramjit 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 25.06.2020 is made absolute.

October 06, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No