

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-19870 of 2020 (O&M)
Date of decision: September 23, 2020

Balwinder Singh and others ...Petitioners

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr. Monu Luna, Advocate for the petitioners.
Mr. Sukhbeer Singh, AAG, Punjab.

Ashok Kumar Verma, J.(oral)

The matter has been taken up through video-conferencing on account of outbreak of pandemic COVID-19.

Petitioners have filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.82 dated 26.06.2020, registered at Police Station Arniwala, District Fazilka, under Sections 354/341/323/506/148/149 IPC and Section 325 IPC was added later on.

Learned State counsel submits that the petitioners have joined the investigation and is no longer required for custodial interrogation.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that as per the prosecution version, the petitioners restrained the complainant and others and caused simple as well as grievous injuries to the complainant.

In pursuance of the interim order dated 22.7.2020, passed by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. Therefore, no useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 22.7.2020, granting interim bail to the petitioners, is made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

However, nothing stated above shall constitute my opinion on merits of the case.

(ASHOK KUMAR VERMA)
JUDGE

September 23, 2020
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No