

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.21857 of 2020
Date of Decision: November 02, 2020

Deepak Kumar @ Deepu & another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Karan Chaudhary, Advocate,
for the petitioner.

Mr. Harbir Sandhu, AAG, 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.119 dated 09.06.2020, under Sections 324, 148, 149 and Section 326 IPC (added later on), registered at Police Station, Dhariwal, District Gurdaspur. 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 06.08.2020, 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 petitioners contends that initially FIR No.119 dated 09.06.2020 was registered for the offences punishable under Sections 324/148/149 IPC and subsequently, offence punishable under Section 326 IPC was added through DDR No.50 dated 23.06.2020. It is further pointed out that the

said grievous injury has been attributed to co-accused Raman Kumar @ Rinku. According to the learned counsel, the custodial interrogation of the petitioners may not be necessary as previously upon their surrender, they were granted bail.

Notice of motion for 02.11.2020.

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

Learned counsel for the petitioners 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 has joined the investigation. Learned counsel, on instructions from ASI Gurbachan 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 06.08.2020 is made absolute.

November 02, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No