

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANIDGARH

207-4

CRM-M-25537 of 2019 (O&M)

Date of Decision: 18.02.2020

Gurcharan Singh and others

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. N.S. Shekhawat, Advocate for the petitioners.

Mr. Harbir Sandhu, AAG, Punjab.

Mr. Rajbir Singh, Advocate for the complainant.

LALIT BATRA, J (ORAL)

Prayer in the present petition is for grant of pre-arrest bail to petitioners in case F.I.R. No.30 dated 18.04.2019 under Sections 148, 307, 323, 324, 341, 342, 364, 382, 452, 506 and 511 IPC read with Section 149 IPC, registered at Police Station Block Majri, District SAS Nagar (Mohali).

Learned State counsel, on instructions from ASI Lakhvir Singh, submits that in compliance of order dated 31.05.2019, petitioners have already joined investigation and they are not required for custodial interrogation. He further submits that weapons of offence have already been got recovered.

Learned counsel for the petitioners submits that petitioners had also sustained injuries at the hands of complainant party and in this view of the matter, it is yet to be decided during the course of trial, who was the aggressor one.

On the other hand, learned counsel for the complainant submits that keeping in view the nature of injuries sustained by the complainant party, petitioners are not entitled to get concession of pre-arrest bail.

In view of above, since petitioners have joined investigation and especially the fact that alleged weapons of offence have already been got recovered, order dated 31.05.2019 granting interim bail to petitioners, is made absolute. Petitioners shall abide by the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.

Petition is disposed of accordingly.

(LALIT BATRA)
JUDGE

18.02.2020
D.Bansal

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No