IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-30940-2020 (O&M)
Date of decision: 05.11.2020

Shakeel Mohd. and others

...Petitioners

Versus

State of Punjab

.....Respondent....

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Abhinav Singla, Advocate for the petitioner.

Mr. Bhupender Beniwal, AAG Punjab.

Mr. Sunny Singla, Advocate for the complainant.

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HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through the instant petition under Section 438 Cr.P.C., the petitioners seek anticipatory bail in case bearing FIR No. 146 dated 27.06.2020, under Sections 324, 323, 148 and 149 of the Indian Penal Code, 1860 ('IPC' - for short) (Section 326 IPC added later on), registered at Police Station Amargarh, District Sangrur.

On 05.10.2020, a Coordinate Bench passed the following order :-

> *"Heard through video conferencing.*
>
> *The petitioners are seeking anticipatory bail in FIR No. 146 dated 27.06.2020, under Sections 324, 323, 148 and 149 of the Indian Penal Code, 1860 ('IPC' - for short) (Section 326 IPC added later on), registered at Police Station Amargarh, District Sangrur.*
>
> *Learned counsel for the petitioners contends that the petitioners were unarmed and are alleged to have kicked the injured on his back and shoulder. The injury for which offence under Section 326 IPC has been*

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invoked is not attributed to the petitioners. He also contends that he shall seek instruction as to whether without any prejudice to their rights and contentions, the petitioners would be willing to monetarily compensate the complainant. He further contends that efforts shall be made to settle the matter amicably.

Issue notice to the respondent.

At the asking of the Court, Mr. Dhruv Dayal, Senior DAG, Punjab, accepts notice on behalf of the respondent-State.

Mr. Sunny Singla, Advocate, has put in appearance on behalf of the complainant.

List on 05.11.2020.

In the meantime, the petitioners are directed to appear before the investigating/arresting officer and join investigation.

In the event of their arrest, the investigating/arresting officer shall release the petitioners on ad interim bail subject to his satisfaction. The petitioners shall also abide by the conditions as envisaged under Section 438 (2) Cr.P.C. ".

Learned counsel for the petitioner states that pursuant to the order dated 05.10.2020 passed by a Coordinate Bench, the petitioners have joined the investigation.

Learned State counsel, on instructions from SI Karamjeet Singh, states that the petitioners have joined the investigation and are not required for any further investigation.

I have heard the learned counsel for the parties.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 05.10.2020 granting interim bail to the petitioners is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(HARNARESH SINGH GILL)
JUDGE

05.11.2020
Mangal Singh

Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No

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