

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41687-2019

Date of Decision: 19.02.2020

Lakha Singh @ Lakhwinder Singh and another

.. Petitioners

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Prateek Pandit, Advocate for the petitioners.

Ms. Monika Jalota, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioners have filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.188 dated 17.06.2018 under Sections 323, 324, 326, 148 and 149 IPC, registered at Police Station Sultanpur Lodhi, District Kapurthala. They apprehended their arrest at the hands of Police in the above said FIR.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 27.09.2019 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 places reliance upon order dated 18.09.2019 (Annexure P-2), wherein concession of pre arrest bail has already been granted to co-accused. According to him, alleged injury attributed to the petitioners is simple in nature.

Notice of motion for 19.02.2020.

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 who is assisted by SI Gurmej Singh does not dispute this fact that the petitioners have joined the investigation and states that they 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 27.09.2019 is made absolute.

19.02.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No