

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.5927 of 2021

Date of Decision: March 24, 2021

Kulwinder Singh @ Vicky & another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Harpreet S. Rakhra, Advocate,
for the petitioners.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Mr. Vaibhav Sehgal, Advocate,
for the complainant.

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.123 dated 06.11.2020, under Sections 304, 148 and 149 IPC 1860, registered at Police Station, Ramdas, District Amritsar. 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 10.02.2021, 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 relies upon the order dated 22.12.2020 (Annexure P-3) passed by this Court in CRM-M-43371- 2020 , whereby the co-accused has been granted interim pre-arrest bail.

Notice of motion for 24.3.2021.

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.

At this stage, Mr. Vaibhav Sehgal, Advocate appears on behalf of complainant.

To be heard alongwith CRM-M-43371-2020.”

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 ASI Takwinder Singh, does not dispute this fact that the petitioners have joined the investigation. Learned counsel, on instructions, further states that the petitioners are not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 10.02.2021 is made absolute.

March 24, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No