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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.6858 of 2020

Date of Decision:23.07.2021

MOHAMMED DILSHAD AND OTHERSPetitioner

Vs

STATE OF PUNJABRespondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr.Imran Farooqi , Advocate
for the petitioners.

Mr. Amar Ashok Pathak, Addl. A.G, Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.8 dated 04.01.2020 registered under Sections 323, 379-B, 452 and 149 IPC, at Police Station City-II, Malerkotla, District Sangrur.

On 17.02.2020, following order was passed:-

“Learned counsel for the petitioners contends that the complainant is mother of Mohammad Sultan. Petitioners No.1 and 2 are brother-in-laws of aforesaid Mohammad Sultan whereas petitioners No.3 and 4 are brothers of Sajo who is wife of brother in law of Mohammad Sultan. Husband name of Sajo has not come on record whether she is wife of petitioner No.1 or 2. Son of the complainant and his wife Aamna alleged to have

tried to oust the complainant and her husband from the house in question. They have been attributed some injuries on the person of the complainant. The allegations are that Sultan snatched mobile phone of husband of the complainant when he was preparing some video of the occurrence. Petitioners are authors of simple injuries.

Allegations in respect of offence under Section 452 IPC would remain debatable keeping in view the inter se relationship between the parties.

Notice of motion for 24.04.2020.

In the meanwhile, petitioners are directed to appear before the SHO/Investigating Officer to join investigation on 24.02.2020 at 11.00 a.m. and in the event of their arrest, they shall be enlarged on ad interim bail, subject to their furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioners shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned counsel for the petitioners submitted that in compliance of order dated 17.02.2020, petitioners have joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from ASI Harpreet Singh admits the aforesaid fact and submits that the petitioners are no more required for further investigation as they have joined the investigation to the entire satisfaction of the Investigating Officer.

In the very nature of allegations on record and without meaning anything on the merits of this case, at this stage, I deem it appropriate to confirm the order dated 17.02.2020.

However, petitioners shall keep on joining the investigation as and when required to do so and they shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

23.07.2021
Amandeep

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No