

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-8450-2020 (O&M)

(1) Manga Singh @ Vinod ... Petitioner

Versus

State of Punjab ... Respondent

(2) **CRM-M-8493-2020 (O&M)**

Balkar Singh @ Kari and others ... Petitioners

Versus

State of Punjab ... Respondent

Date of Decision:- 2.7.2021

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ashok Paul Batra, Advocate for the petitioners.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Raj Inder Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. This order shall dispose off above mentioned two petitions filed on behalf of Manga Singh @ Vinod, Balkar Singh @ Kari, Sukhdev Singh and Sunny seeking grant of anticipatory bail in respect of a case registered vide FIR No.22 dated 6.4.2018 under Sections 452/427/506/148/149/323 of Indian Penal Code at Police Station Bahawwala, District Fazilka.

2. At the time of issuance of notice of motion in both the aforesaid petitions, the following order was passed on 27.2.2020:

“The learned counsel for the petitioner submits that even if the allegations are taken to be correct, the present case, at best is a case of causing of simple injuries only. It has further been submitted that infact the genesis of occurrence has been suppressed inasmuch as the co-accused Balkar Singh has also sustained injuries regarding which there is no explanation in the FIR.

Notice of motion for 11.5.2020.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C. ”

3. Learned State counsel, upon instructions from ASI Raj Inder Singh, has informed that pursuant to interim directions issued by this Court the petitioners have joined investigation and are not required for any custodial interrogation. It is also not disputed that the petitioner Balkar Singh had also sustained injuries. Learned State counsel has informed that the petitioners are not wanted in any other case.
4. Having regard to the facts and circumstances of the case, particularly that it is a case where even one of the petitioners has sustained injuries and that the petitioners, in any case, have already joined investigation, their custodial interrogation is not warranted. Both the petitions, as such, are accepted and the interim directions issued by this Court vide order dated 27.2.2020 are hereby made absolute, subject to the condition that the petitioners shall join investigation as and when called upon to do so and

cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

2.7.2021
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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No