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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-7992-2020
Date of decision-16.07.2021**

LAL SINGH AND ANOTHER**...Petitioners**

Vs.

STATE OF PUNJAB**...Respondent****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Atul Goel, Advocate
for the petitioners.

Mr. Ramandeep Singh Sandhu, Sr. DAG, Punjab.

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.136 dated 10.09.2019 under Sections 452, 323 & 149 of Indian Penal Code, 1860, registered at Police Station Bhaghapurana, District Moga. 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 25.02.2020, whereby while issuing notice of motion to respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“Learned counsel for the petitioners contends that in the alleged occurrence, the petitioners also suffered injuries and the cross version stands recorded at the instance of brother of petitioner No.1 through DDR No.47 dated 10.09.2019 under Sections 323 and 324 read with Section 34 IPC, registered at Police Station Bhaghapurana, District Moga. He

submits that the complainant in the FIR No.136 dated 10.09.2019 registered under Sections 452, 323 and 149 IPC at Police Station Bhaghapurana, District Moga, suffered simple injury and therefore, custodial interrogation of the petitioners may not be necessary.

Notice of motion for 14.07.2020.

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 ASI Baljinder Singh does not dispute this fact that the petitioners have joined the investigation and they 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 25.02.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

16.07.2021

Vipin kumar

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No