

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

CRM-M-13280-2021 (O&M)
Date of Decision:- 2.8.2021

Awan Kumar @ Sonu Cheema @ Awan Kumar Khullar and others

.... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Anurag Chopra, Advocate, for the petitioners.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners have approached this Court seeking grant of anticipatory bail in respect of a case registered against them vide FIR No.14, dated 22.2.2021, Police Station Sarai Amant Khan, Tehsil and District Tarn Taran, under Sections 186, 295-A, 353, 506, 149 IPC.
2. At the time of issuance of notice of motion on 22.3.2021 the following order was passed:

“Learned counsel for the petitioners contends that the petitioners have falsely been implicated in the present case at the instance of the local MLA namely Sh. Dharambir Agnihotri by levelling false allegations to the effect that the petitioners and others had scuffled with the complainant, who is a Panchayat Secretary, and had abused him and on account of which his turban fell of.

Learned counsel for the petitioners has submitted that while co-accused have been granted anticipatory bail by the Trial Court, but the said concession has been denied to the petitioners inter alia on the ground that petitioner No.1 happens to be involved in three FIRs, whereas infact he has already been declared as innocent in one of the said FIR while cancellation report has been filed in another FIR and in the third FIR, wherein he has been summoned, the summoning order has been stayed by this Court.

Notice of motion for 2.8.2021.

Meanwhile, in the event of arrest, the petitioners be released on interim bail subject to their furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioners 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 has informed that pursuant to interim directions, the petitioners have joined investigation and are not required for any custodial interrogation.

4. In view of the aforesaid submission especially the fact that the petitioners have already joined investigation and are not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 22.3.2021 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.

2.8.2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No