

**207-A IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.15775 of 2021

Date of Decision:14.07..2021

GURBHEJ SINGH AND ANR.

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. K.S Brar, Advocate
for the petitioners.

Mr.Sandeep Kumar D.A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

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

Petitioners seek grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.20 dated 05.03.2021 registered under Sections 452, 323, 295, 148, 149 IPC of 1860 and (Section 325 IPC added later on) at Police Station Lakho Ke Behram, District Ferozepur.

While issuing notice of motion on 09.04.2021 following order was passed.

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

Learned counsel for the petitioners contends that there is no specific role attributed to the petitioners. The name of Manjinder Singh son of Mukhtiar Singh has appeared in the FIR. The offences except the offences under Sections 452 and 295

IPC are bailable. The offence in terms of Section 295 IPC is attributed to Surinder Singh when he put off the turban of the complainant when the complainant tried to save his son.

Learned counsel for the petitioners further submits that name of the petitioners came to be disclosed in the supplementary statement of the complainant. Since, the true description of the petitioners has not come forth in the FIR, therefore, learned counsel for the petitioners submits that the prosecution has enlarged the scope of false implication qua the sons of Mukhtiar Singh and the occurrence has not taken place in the manner as suggested by the prosecution.

Notice of motion for 14.07.2021.

Learned counsel for the petitioners would be obligated to answer whether the petitioners are twins being aged of 29 years.

In the meanwhile, the petitioners are directed to appear before the SHO/Investigating Officer to join investigation on 16.04.2021 at 11.00 a.m. and in the event of their arrest, they shall be enlarged on ad interim bail, on their furnishing requisite bail bonds/surety bonds subject to the satisfaction of Arresting Officer. However, the petitioners shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

Nothing expressed hereinabove shall be construed to be an opinion on the merits of the case. The case shall be decided on merits on the adjourned date.

Learned counsel for the petitioners submits that the petitioners have joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from ASI Gurdev Singh admitted the aforesaid fact and submitted that the petitioners have joined the investigation on 16.04.2021 and they are no more required for further investigation of the case.

In view of aforesaid factual position, the interim order dated 09.04.2021 is made absolute. 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.

14.07.2021
Amandeep

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No

(RAJ MOHAN SINGH)
JUDGE