

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(207)

CRM-M-16544-2021

Date of decision:- 26.08.2021

SUKHWINDER SINGH ALIAS KALU ALIAS JASSA SINGH AND
ANR

...PETITIONERS

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Prashant Vashisth, Advocate for the petitioners.

Mr. Sandeep Singh Deol, DAG, Punjab.

...

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to
Covid-19 pandemic.

On 20.04.2021, the following order was passed:-

*“The Court has been convened through video
conferencing due to Covid-19 Pandemic.*

*Instant petition has been filed under Section
438 of the Code of Criminal Procedure, 1973 seeking
grant of anticipatory bail in case FIR No.156 dated
13.08.2020, registered under Sections 452, 323, 148 and
149 of the Indian Penal Code, 1860 at Police Station
Sadar Khanna, Ludhiana.*

*Counsel for the petitioners contends that FIR
is the outcome of the fight which took place amongst
relatives. Counsel submits that Sukhwinder Singh @
Kalu @ Jassa Singh, petitioner No.1, is alleged to have
given a rod blow on the left shoulder of the complainant
and his wife, Mito Kaur, petitioner No.2 is alleged to
have given fist blow on the complainant. Counsel further
submits that both the petitioners were granted interim*

bail by the learned Additional Sessions Judge, FTSC, Ludhiana, vide order dated 18.12.2020, but the petition was dismissed vide order dated 06.01.2020 (Annexure P-2) as the petitioners failed to join the investigation. Counsel submits that petitioners could not join the investigation due to mis-communication and they are ready to join the investigation and co-operate with the Investigating Agency.

Notice of motion.

On asking of the Court, Mr. Amar Ashok Pathak, Additional Advocate General, Punjab accepts notice on behalf of respondent-State.

List on 26.08.2021.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, they shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting Investigating Officer. They shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned State counsel, upon instructions, from ASI Naresh Kumar submits that the petitioners have joined the investigation and they are no longer required for custodial interrogation.

In view of the above fact, but without commenting on the merits of the case, the present petition is allowed. Order dated 20.04.2021 is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

26.08.2021
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No