

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

CRM-M-23403-2021

Date of decision-24.11.2021

Hardarshan Singh and others ...Petitioners

Vs.

State of Punjab ...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sangram Singh Saron, Advocate for the petitioner.
Mr. Ramdeep Partap Singh, 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.0092 dated 15.05.2021 under Sections 341, 427 and 506 Indian Penal Code, 1860 and Sections 25 and 27 Arms Act, 1959 registered at Police Station City Malout, District Shri Muktsar Sahib. The petitioners apprehended their arrest at the hands of Police.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 18.06.2021, whereby, while issuing notice of motion, the interim protection was extended to the petitioners. The said order reads as under:-

“Inter alia contends that, at worst, if the allegations of the FIR were to be believed, it is a case of Section 107/151 under Cr.P.C. And yet, due to the influence of the complainant, a retired IAS Officer from the State of Punjab, in sheer abuse of process of law, an FIR has been registered under Sections 341/427/506 of Indian Penal Code read with Section 25 and 27 of the Arms Act, 1959. Learned senior counsel contends that, in fact, shoe is on the other foot, inasmuch as, the complainant along with her security guards armed with guns/ammunition had openly threatened the petitioners with dire consequences. While on the other hand, learned counsel appearing for the complainant submits that it is the other way round and in reality, the petitioners had threatened

the complainant.

Be that as it may, prima facie it does appear to be a case of version and counter version arising out of certain property dispute between two sets of people.

Notice of motion.

Learned State counsel, on advance service, joins proceedings and accepts notice on behalf of the respondent-State of Punjab and seeks time to get instructions.

Adjourned to 24.11.2021.

To be heard along with CRM-M-21926-2021.

In the meanwhile, petitioner shall join the investigation within a period of 15 days from today and subject thereto, no coercive steps qua arrest of the petitioner shall be taken till the next date of hearing.

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 Harbans Singh does not dispute this fact that the petitioners have joined the investigation. He further states that the petitioners are not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 18.06.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

24.11.2021

vanita

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No