

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

224 (6)

CRM-M-23849-2021
Date of Decision : 04.10.2021

Simarjit Singh @ Gagu and another

...Petitioners

Versus

State of Punjab

...Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ruhani Chadha, Advocate for the petitioners.

Mr. Sandeep Singh Deol, DAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

Petitioners are seeking anticipatory bail in FIR No.70 dated 24.09.2019 registered under Sections 452, 307, 427, 148, 149 and 120-B of the IPC (Section 307 of IPC deleted later on) at Police Station Talwara, District Hoshiarpur.

Learned counsel for the petitioners submits that the petitioners have joined investigation in terms of order passed by a Coordinate Bench of this Court on 23.06.2021. Order dated 23.06.2021 is as under:-

“Case has been heard through video conferencing on account of Covid-19 Pandemic.

Notice of motion.

Mr. P.S. Walia, AAG, Punjab accepts notice on behalf of the respondent-State.

The counsel for the petitioners *inter-alia* contends that no injury has been attributed to the petitioners. After inquiry, the police has deleted offence

under Section 307 IPC. He further contends that the petitioners have been falsely implicated in this case to settle personal enmity arising out of a property dispute between two groups. He further submitted that co-accused Jatinder Singh @ Jindu who is similarly placed has already been granted interim anticipatory bail by this Court 18.6.2021 (Annexure P-3). Even one another accused namely Navjot Singh @ Rocky has also been given concession of anticipatory bail by this Court vide order dated 1.6.2021 (Annexure P-2). The counsel further submitted that the petitioners are ready to join investigation with the police.

The bail application is contested by the State counsel. However, he admitted the fact regarding grant of interim anticipatory bail to accused Jatinder Singh @ Jindu and Navjot Singh @ Rocky. The State counsel has also not disputed the fact that the case of the petitioners is similarly situated to that of Jatinder Singh @ Jindu.

In the light of the above, the petitioners are hereby directed to join investigation with the police. In case of their arrest, they are directed to be released on interim bail by the Investigating Officer to his own satisfaction till the next date of hearing. The petitioners should join investigation with the police well in time before the next date of hearing and should abide by the conditions envisaged in Section 438(2) Cr.P.C.

Now the case is adjourned to **4.10.2021**.

Report of SHO be also called for that date.

To be heard along with **CRM-M-23490-2021**
and **CRM-M- 21788-2021.**”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Gurwinderjit Singh states that in terms of the order passed by a Coordinate Bench of this Court, reproduced before, the petitioners have joined the investigation and they are

not required for further interrogation, at this stage.

In view of the above, the order dated 23.06.2021 passed by a Coordinate Bench of this Court granting interim bail to the petitioners is made absolute.

However, the petitioners shall abide by the conditions stipulated under Section 438(2) Cr.P.C. They shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioners are required for the investigation but are not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

October 04, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No