

CRM-M-22737-2020

Date of Decision: 08.10.2021

Shakti Singh and another

.....Petitioners

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Ashok Bhardwaj, Advocate, for
Ms. Kanika Ahuja, Advocate,
for the petitioners.

Mr. Gaurav Garg Dhuriwala, Sr. D.A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

On 23.08.2021, the following order had been passed by this
court:-

“Case heard via video conferencing.

By this petition, the petitioners seek a direction to the arresting officer to release them on bail in the event of their arrest, in case bearing FIR no.63, dated 02.06.2015, registered at Police Station Bajakhana, District Faridkot, alleging therein the commission of offences punishable under Sections 380 and 295-A of the IPC, with Sections 201, 414, 451 and 120-B of the IPC added later.

An order had been passed by this court (coordinate Bench) on 14.08.2020, that the petitioners be not arrested till the next date of hearing, with that interim order having continued till date, with a large number of orders having been passed in between, (with this petition initially having been tagged with connected matters on various issues).

The petitioners thus are still to join investigation, with the investigating agency now conducting the investigation being the Punjab Police, and consequently, with them already being on interim bail for more than one year now (though with them having been arrested in the context of some other FIRs and having been bailed out as per learned State counsel), they are now directed to join investigation with the SIT constituted for the purpose by the Punjab Police, within one week from today.

Adjourned to 24.09.2021.

Interim order to continue till then.”

Today, learned State counsel, on instructions from Inspector Dalbir Singh, submits that the petitioners have joined investigation pursuant to the aforesaid order and presently their custodial interrogation is not required.

In view of above, the petition has actually been rendered infructuous and is disposed of as such.

However, if the petitioners' custodial interrogation is required at any stage hereinafter, in the context of the FIR in question, they would be given 10 days notice before arrest, duly shown to be served upon them.

Naturally, if the complainant is aggrieved in any manner, of lack of proper investigation, he would be always at liberty to avail of his remedy as per law.

October 08, 2021
nitin

(AMOL RATTAN SINGH)
JUDGE