

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(204)

CRM-M-30515-2021

Date of decision: - 08.11.2021

Gurpreet Singh @ Gora @ Gori and others

...Petitioners

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Gurmeet Singh Saini, Advocate, for the petitioners.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

Mr. Baljinder Chahal, Advocate
for the complainant.

(Through Video Conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)

Present petition has been filed under Section 438 Cr.P.C for the grant of anticipatory bail to the petitioners in respect of FIR No.97 dated 28.06.2021 registered under Sections 452, 324, 323, 427, 148 and 149 of the Indian Penal Code, 1860 at Police Station Sadar Ferozepur, District Ferozepur.

Learned counsel for the petitioners contends that the petitioners have joined investigation in terms of order passed by this Court on 18.08.2021. Order dated 18.08.2021 is as under:

“Present petition has been filed under Section 438 Cr.P.C for the grant of anticipatory bail to the petitioners in respect of FIR No.97

dated 28.06.2021 registered under Sections 452, 324, 323, 427, 148 and 149 of the Indian Penal Code, 1860 at Police Station Sadar Ferozepur, District Ferozepur.

Learned counsel for the petitioners argues that the petitioners have wrongly been roped in the present case. Learned counsel for the petitioners submits that the injuries, which are being attributed to the petitioners, are simple in nature and the petitioners are ready to join the investigation and cooperate in the same.

Learned counsel for the respondent-State argues that the allegations against the petitioners are that they entered the house of the complainant in the night in order to inflict injuries, though, the injuries are simple and blunt in nature. Learned counsel for the respondent-State concedes that there are no other cases pending against the petitioners.

Keeping in view the facts and circumstances of the present case and as the petitioners have undertaken to join the investigation and cooperate with the same, they are granted the concession of anticipatory bail.

Petitioners are directed to join the investigation forthwith.

In the event of their arrest, they shall be released on interim bail to the satisfaction of the Arresting Officer/Investigating Officer on their furnishing bail bonds/surety bonds to his/her satisfaction subject to the following conditions:

i) That they shall make themselves available for interrogation by the police officer as and when required.

(ii) That they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the said facts to the Court or to any police officer.

(iii) That they shall not leave India without prior permission of the Court.

(iv) That they shall abide by all the conditions as enshrined under Section 438 (2) Cr.P.C.

Adjourned to 08.11.2021.

It is, however, made clear that after the petitioners join the investigation, in case any incriminating material comes against the petitioners, the respondent-State will be at liberty to file appropriate

application seeking the custody of the petitioner in case, the same is needed.”

Learned State counsel, on instructions from SI Chandgri, states that in terms of the order of this Court reproduced before, the petitioners have joined the investigation and is not required for further interrogation, at this stage.

In view of the above, the order dated 18.08.2021 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 petitioner is required for the investigation but is not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The present petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

November 08, 2021
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Whether reasoned/speaking?	Yes
Whether reportable?	No