

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

209

CRM-M-29093-2020 (O&M)

Date of decision: 21.01.2021

Bahadur Singh & Ors.

...Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Lakhwinder Singh Mann, Advocate for the petitioner.

Mr. Randhir Singh Thind, D.A.G. Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

This is a petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 110 dated 07.9.2020 under Sections 452, 323, 506, 34 IPC (Section 308 IPC added later on) registered at Police Station Badali Alla Singh, District Fatehgarh Sahib.

This Court, on 22.09.2020, passed the following order:

“Case is taken up for hearing through video conferencing.

This is a petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 110 dated 07.9.2020 under Sections 452, 323, 506, 34 IPC (Section 308 IPC added later on) registered at Police Station Badali Alla Singh, District Fatehgarh Sahib.

Learned counsel for the petitioners submits that as per the allegations, the petitioners have inflicted stick blow injuries and all the injuries are blunt in nature. He further states that all the injuries are on the non-vital parts. Learned counsel further submits that the injury which falls

under Section 308 IPC, has not been attributed to the petitioners. He further submits that it is a debatable issue that whether offence under Section 452 IPC is made out or not, as the alleged courtyard is not having any gate and is a common place.

Notice of motion.

On the asking of the Court, Mr. Amit Mehta, Sr. DAG, Punjab accepts notice on behalf of the State.

Since the injuries attributed to the petitioners are blunt in nature and are on non-vital parts, interim bail is granted to the petitioners. The petitioners are directed to join the investigation and if they are sought to be arrested, they shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.

Adjourned to 21.1.2021.”

Learned counsel for the petitioners submits that in compliance of the order dated 22.09.2020 passed by this Court, the petitioners have joined the investigation.

Learned State counsel, on instructions from A.S.I. Sadhu Khan, submits that the petitioners have joined the investigation and are not required for any further investigation.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 22.09.2020 granting interim bail to the petitioners, is made absolute, subject to the conditions laid down in Section 438 (2) Cr.P.C.

21.01.2021

Aman Jain

**(HARNARESH SINGH GILL)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No