

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

CRM-M-43109-2020 (O&M)

Date of Decision: 02.09.2021

Sewa Singh and others

...Petitioners

Versus

State of Punjab

...Respondent

(Through Video Conferencing)

CORAM:- HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ashok Kumar Khunger, Advocate for the petitioners.

Mr. Dhruv Dayal, Sr. D.A.G., Punjab.

HARSIMRAN SINGH SETHI, J. (Oral)

The petitioners have filed the present petition under Section 438 of the Cr.P.C. for grant of anticipatory bail in case FIR No.103 dated 17.04.2020 registered under Sections 323, 148 read with Section 149 of the Indian Penal Code, 1860 (for short 'the IPC') in Police Station City Fazilka, District Fazilka to which Section 308 of the IPC was added lateron.

Learned counsel for the petitioners contend that the petitioners have joined investigation in terms of order passed by the coordinate Bench of this Court dated 05.01.2021. Order dated 05.01.2021 is as under:-

“Learned Counsel for the petitioners has submitted that the petitioners have been falsely implicated in the case. Subsequent to registration of the FIR, the parties have compromised and CRM-M-29798-2020 has been filed for quashing of the FIR. Co-accused Charanjeet Kaur has been granted anticipatory bail by this Court vide order dated

22.09.2020. The petitioners are ready to join the investigation.

Notice of motion.

Pursuant to supply of advance copy, Mr. Rana Harjasdeep Singh, DAG, Punjab has appeared and accepted notice on behalf of the respondent-State.

Learned State Counsel seeks time to file reply.

Adjourned to 01.03.2021.

In the meanwhile, the petitioners-Sewa Singh, Satpal and Satnam Singh are directed to join the investigation as and when called upon to do so. In the event of their arrest, the petitioners shall be released on interim anticipatory bail by the arresting officer/investigating officer on furnishing of bail bonds by them to the satisfaction of the arresting officer/investigating officer. The petitioners shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which they shall not be entitled to the protection of interim anticipatory bail allowed to them.”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Beant Singh, states that in terms of the order of the Court reproduced before, the petitioners have joined the investigation and no further interrogation is required at this stage.

Learned counsel for the petitioners undertakes that petitioners will join investigation and also cooperate with the investigating agency in case they are required for the same in future as well.

In view of the above, the order dated 05.01.2021 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 petitioners are required for the investigation but are not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

02.09.2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No