

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.50963 of 2019
Date of Decision: July 22, 2021

Manpreet Singh & another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Harmanpreet Singh Sehgal, Advocate,
for the petitioners.

Mr. Ramandeep Sandhu, Sr.DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.164 dated 27.09.2019, under Sections 324, 323, 34 IPC 1860 and Section 326 IPC (added later on), registered at Police Station, Bhikhi, District Mansa. The petitioners apprehended their arrest at the hands of police.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 02.12.2019, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“Learned counsel for the petitioners submits that the offence punishable under Section 326 IPC was added subsequently. According to him, the allegations are regarding giving fist and kick blows to the injured.

Notice of motion for 23.4.2020.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioners further contends that in deference to the said order, the petitioners submitted themselves before the police and joined the investigation. According to him, the petitioners cooperated with the police authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by ASI Kuldeep Singh, does not dispute this fact that the petitioners have joined the investigation. Learned counsel, on instructions, further states that the petitioners are not required for custodial interrogation for the time being. According to him, the charges in this case have been framed and the trial has commenced.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 02.12.2019 is made absolute.

July 22, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No