

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-51766-2019 (O&M)

Date of Decision:- 30.7.2021

Shankar Dass @ Shankar and others

.... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sumit Aggarwal, Advocate for
Mr. Varun Sharma, Advocate, for the petitioners.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Satnam Singh.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners have approached this Court seeking grant of anticipatory bail in respect of a case registered against them vide FIR No.116, dated 3.9.2019, Police Station Maqsudan, Jalandhar, under Sections 341, 324, 506, 148, 149 IPC and Section 326 IPC came to be added subsequently.
2. At the time of issuance of notice of motion on 5.12.2019 the following order was passed:

“It is contended by learned counsel for the petitioners that the name of the petitioners have been unnecessarily dragged in the case. Even as per the case of the complainant, petitioner No.1 is not assigned any role as such. Petitioner No.2 is alleged to have caught hold of the complainant and having slapped him. Petitioner No.3 is also shown only empty handed. Therefore, no injury, as such, is attributed to either of the petitioners. The injury inviting Section 324 IPC is attributed to one Des Raj.

Notice of motion for 27.04.2020.

Meanwhile, in the event of arrest, the petitioners be released on interim bail subject to their furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3. Learned State counsel, upon instructions from ASI Satnam Singh, has informed that pursuant to interim directions, the petitioners have joined investigation and that they are not required for any custodial interrogation and that they are not even involved in other cases.
4. Having regard to the facts and circumstances of the case and the nature of injuries, the fact that the petitioners have joined investigation, their custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 5.12.2019 are hereby made absolute subject to the condition that the petitioners shall join investigation as and when

called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

30.7.2021

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No