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

**CRM-M-55637-2019
Date of decision-13.07.2021**

VISHAL SHARMA @ GOLDY AND OTHERS **...Petitioners**

Vs.

STATE OF PUNJAB **...Respondent**

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Dr. Puneet Kaur Sekhon, Advocate
for the petitioners.

Mr. Ramandeep Singh 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.80 dated 02.12.2019 under Sections 323, 324, 379, 506, 452, 427, 148, 149 & 326 (added later on) of Indian Penal Code, 1860 registered at Police Station Dorangla, District Gurdaspur. The petitioners apprehended their arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 27.12.2019, whereby while issuing notice of motion to respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“Learned counsel for the petitioners contends that originally the FIR was registered for the offence punishable under Sections 323, 324, 379, 506, 452, 427, 148, 149 IPC, however, subsequently the offence punishable under Section 326 IPC was added. It is

further contended that only one injury was declared grievous, which is not attributed to the petitioners.

Notice of motion for 14.5.2020.

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 her, 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 Vaishno Dass does not dispute this fact that the petitioners have joined the investigation and they are not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 27.12.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

13.07.2021

Vipin kumar

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No