

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

101

CRM-M No.559 of 2022
DATE OF DECISION : 10th JANUARY, 2022

Charanjit Singh & others

.... **Petitioners**

Versus

State of Punjab

.... **Respondent**

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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In virtual Court
=====

Present : Mr. Amaninder Singh Sekhon, Advocate for the petitioners.

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RAJBIR SEHRAWAT, J. (Oral)

The present second petition has been filed by the petitioners under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.39 dated 28.04.2020 registered under Sections 2, 9, 39, 50 & 51 of the Wild Life (Protection) Act 1972; Section 429 of IPC and Section 27/54/59 of the Arms Act, 1959 at Police Station Kotkapura, District Faridkot.

It is submitted by counsel for the petitioners that the case against the petitioners is totally concocted. Earlier the petitioners were granted interim protection. Thereafter, the Police had made statement that the petitioners had been found innocent. Hence, the earlier petition, filed by the petitioners, was disposed of as infructuous vide order dated 14.07.2020. However, thereafter on some inquiry by the Deputy Superintendence of Police, Kotkapura the petitioners have again been sought to be involved in the case. It is further submitted by the counsel for the petitioners that the petitioners are ready to join the investigation as

and when called by the police.

Notice of motion.

Mr. Pawan Sharda, Deputy Advocate General, Punjab, accepts notice on behalf of the State and Mr. Amaninder Preet, Advocate, put in appearance on behalf of the complainant and vehemently opposed the petition.

The learned State Counsel, being instructed by ASI Jaswinder Singh, has submitted that although the police had not found anything incriminating against the petitioners in the first instance and had prepared cancellation report, however, the said report was not accepted by the court. Further investigation in the case has been ordered. Hence, the petitioners are required for investigation.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. The petitioners are granted concession of anticipatory bail. Therefore, it is directed that in case of their arrest, the petitioners shall be released on bail subject to their furnishing bail bonds/surety bonds to the satisfaction of Arresting/Investigating Officer. However, it is further directed that 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.

10TH JANUARY, 2022
'raj'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>