

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

I) CRM-M-1221-2022 (O&M)

Ranjeet Kaur @ Ranjit Kaur @ Rani ... Petitioner

Versus

State of Punjab ... Respondent

II) CRM-M-1223-2022 (O&M)

Avtar Singh @ Abhi ... Petitioner

Versus

State of Punjab ... Respondent

Date of Decision:-31.3.2022

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vishal Sharma (vasudeva), Advocate for the petitioner(s).

Mr. Anmol Singh Sandhu, AAG, Punjab,
assisted by ASI Onkar Singh.

GURVINDER SINGH GILL, J.(Oral)

1. This order shall dispose of the above mentioned two petitions filed on behalf of petitioners Ranjeet Kaur @ Ranjit Kaur @ Rani and Avtar Singh @ Abhi seeking grant of anticipatory bail in respect of a case registered vide FIR No.0318 dated 30.10.2019, Police Station Model Town, Hoshiarpur under Sections 307, 326, 341, 148, 149 and 34 of Indian Penal Code, wherein offences under Sections 308 and 323 IPC were added later on.

2. The petitioners have been summoned in respect of the aforesaid FIR by the Trial Court in exercise of powers under Section 319 Cr.P.C. so as to face trial alongwith the remaining accused. At the time of issuance of notice of motion, the following order was passed on 13.1.2022 in both the cases:

“ Case heard by video conferencing.

Vide these petitions, the petitioners (in both the petitions) seek the concession of 'anticipatory bail', upon FIR no.0318, dated 30.10.2019, having been registered at Police Station Model Towan, Hoshiarpur, alleging therein the commission of offences punishable under the provisions of Sections 307, 326, 341, 148, 149 and 34 of the IPC, with Sections 308 and 323 of the IPC added subsequently in the FIR.

Learned counsel for the petitioners (in both petitions) submits that the petitioners have been summoned by the trial court on an application filed under Section 319 Cr. P.C., after the police had not found them to be involved in the occurrence, and consequently at this stage no custodial interrogation in any case would be required.

Without making any comment on the actual merits of the case, notice of motion is issued, Mr. M.S. Nagra, AAG, Punjab, accepts notice at the asking of the court on behalf of respondent State, and as per his instructions he obviously could not deny the aforesaid factual position.

That being so, the petitioners are directed to surrender before the trial court on the next date of hearing fixed before that court (on 24.01.2022) and upon so doing, they would be admitted to interim bail to the satisfaction of that court, till the next date of hearing before this court.

A gazetted officer is directed to file an affidavit stating therein whether there are any other criminal cases registered against the

petitioners, of like nature or otherwise and whether their custodial interrogation is required even at this stage.

Adjourned to 31.03.2022.

A copy of this order be placed on the connected file of this case”

3. Learned State counsel, upon instructions, has informed that pursuant to interim directions, the petitioners have appeared before the Trial Court.
4. Having regard to the fact that it is a case where the petitioners have been summoned with the aid of Section 319 Cr.P.C., it goes without saying that the investigation is already complete. Since the petitioners have appeared before the Trial Court and have furnished bail bonds, both the petitions are accepted and the interim direction issued by this Court vide order dated 13.1.2022 (in both the cases) are hereby made absolute subject to the condition that the petitioners shall appear regularly before the Trial Court and abide by any such condition as may be imposed by Trial Court for ensuring their regular presence.
5. A photocopy of this order be placed on the file of connected case.

31.3.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No