

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

CRM-M-1247-2020 (O&M)

Date of decision: 12.05.2022

Sabhi @ Sunny and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Gaurav S. Pathania, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

CRM-17775-2022

Allowed as prayed for.

Documents are taken on record as Annexure P-4.

Main case

The petitioners pray for grant of anticipatory bail in FIR No.0075 dated 11.08.2019, registered under Sections 325, 323, 34 and 308 (*added later on*) of the IPC at Police Station Division No. 2, District Pathankot.

The operative part of the order dated 14.01.2020, vide which the petitioners have been granted interim bail, is reproduced below:

“Learned counsel for the petitioner contends that the alleged occurrence took place on 29.07.2019. The FIR No.75 was registered on 11.08.2019 for the offences under Sections 325, 323, 34 IPC against the petitioners. The offence under Section 308 IPC was added vide DDR No.48 dated 07.12.2019. In the original offence, the

petitioners were allowed to join the investigation by the Police. The MLR has been prepared by the private hospital and the Board of Directors of the Civil Hospital refused to give any opinion on the report of private doctor.

Notice of motion for 13.03.2020.”

Learned counsel for the petitioners submits that the petitioners, in pursuance to the order dated 14.01.2020, have already joined the investigation and the case is now fixed for prosecution evidence and even prosecution witness stands examined.

Learned counsel for the State, on instructions from the Investigating Officer, has not disputed the factual position and submits that the petitioners have joined the investigation and are no more required for any further investigation.

In view of the above and considering the fact that a period of almost two years has lapsed and there is no allegation that the petitioners have ever misused the concession of interim bail during the intervening period, the present petition is allowed and the interim bail granted to the petitioners, vide order dated 14.01.2020, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

12.05.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No