

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-9678-2022

Date of decision : 16.08.2022

Pargat Singh and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Ajay Kumar, Advocate for
Mr.Rishu Mahajan, Advocate
for the petitioners.

Mr.Sarabjit Singh Cheema, AAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in DDR no.27 dated 16.05.2015 registered under Sections 324, 506, 295, 148, 149 IPC and Section 25 of the Arms Act in FIR no.73 dated 16.05.2015 registered under Sections 326, 323, 324, 295-A, 506, 148, 149 IPC and Section 25 of the Arms Act at Police Station Gharinda, District Amritsar Rural.

On 08.03.2022, a coordinate Bench of this Court was pleased to pass the following order:-

“Learned counsel contends that though vide order dated 17.01.2022 (Annexure P-3) interim concession of pre arrest bail was granted to the petitioners by trial Court, but as they failed to join the investigation within the stipulated period of three days, their application for pre arrest bail was finally dismissed on 28.01.2022 (Annexure P-5). According to him, the petitioners were prevented by sufficient cause, as they were having symptoms of Covid-19 and the Court of Sessions had once extended the period for joining the investigation, but had again curtailed it to another

period of three days.

Notice of motion for 16.08.2022.

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.

08.03.2022

**(MANOJ BAJAJ)
JUDGE"**

Learned counsel for the petitioners has submitted that in pursuance of the said order, the petitioners have joined the investigation.

Learned State counsel, on instructions from ASI Victor Singh, has submitted that the petitioners have joined investigation on 04.04.2022 and are not required for further investigation.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 08.03.2022, and also the fact that the petitioners have joined the investigation and are not required for further investigation, the present petition is allowed and the interim order dated 08.03.2022 is made absolute.

Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

**(VIKAS BAHL)
JUDGE**

August 16, 2022

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No