

210-D

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-16801-2022 (O&M)
Date of Decision:31.05.2022

Harish Chand @ Sonu and others

.. Petitioners

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Avtar Singh Bhatti, Advocate for the petitioners.

Mr. Sandeep Singh Deol, DAG, Punjab.

Mr. Vipin Mahajan, Advocate
for the complainant.

...

Manoj Bajaj, J. (Oral)

Petitioners have approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in a case FIR No.32 dated 04.03.2022 registered under Sections 452, 323, 295, 427, 148 and 149 IPC (Sections 307 and 325 IPC added later on) at Police Station Dinanagar, District Gurdaspur, who apprehend their arrest at the hands of Police.

On 25.04.2022, this Court had passed the following order:

“Learned counsel has argued that the petitioner No.1-Harish Chand was armed with iron rod and had allegedly caused injuries upon Surender Singh, but those injuries are on non-vital parts of his body and no injury is attributed to his wife (Manisha Kumari), whereas the third petitioner-Anuradha @ Anu was stated to be armed with stone who caused injuries to Parkash Kaur and Harpreet Kaur. He submits that the similarly situated co-accused have already been extended the concession of pre arrest bail vide order dated 08.04.2022 (Annexure P-2).

Notice of motion 13.05.2022.

At this stage, Mr. Vipin Mahajan, Advocate appears on behalf of the complainant and argued that petitioner no.2 had dragged Prakash Kaur and Harish Chand

caused injuries to Surender Singh, who also suffered another injury by co-accused, namely, Subhash Chander, which was declared dangerous to life.

Meanwhile, the petitioners except-Harish Chand @ Sonu 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 has stated that in compliance of the above order, the petitioner Nos.2 and 3 associated themselves in the investigation and cooperated during interrogation.

Learned State counsel, who is instructed by ASI Yusuf Masih, states that petitioner No.1 Harish Chand @ Sonu stands arrested in the subject FIR and the petitioner Nos.2 and 3 have joined the investigation and are not required for custodial interrogation for the time being.

Considering above, the petition qua petitioner No.1 Harish Chand @ Sonu is rendered infructuous and the interim bail granted by this Court vide order dated 25.04.2022 to petitioner Nos.2 and 3 is made absolute.

31.05.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes No
Yes No