

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

(I) **CRM-M-19623-2021 (O&M)**
 Kushal Kumar ...Petitioner
 Versus
 State of Punjab ...Respondent

(II) **CRM-M-20649-2021 (O&M)**
 Monty & another ...Petitioners
 Versus
 State of Punjab ...Respondent

Date of Decision: 19.01.2022**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**Present: Mr. Kapil Khanna, Advocate,
for the petitioner(s).Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Avtar Singh.*(proceedings conducted through video conferencing)***GURVINDER SINGH GILL, J. (Oral)**

1. This order shall dispose of the aforesaid two petitions i.e. CRM-M-19623-2021 filed on behalf of Kushal Kumar and CRM-M-20649-2021 filed on behalf of Monty & Harsh, seeking grant of anticipatory bail in respect of a case registered vide FIR No.038 dated 11.03.2021 at Police Station Division No.5, Jalandhar, under Sections 452/506/427/148/149 IPC.
2. At the time of issuance of notice of motion in CRM-M-19623-2021 on 18.05.2021, the following order was passed:

“The Court has been convened through video conferencing due to
 Covid-19 Pandemic.

Instant petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in case FIR No.038 dated 11.03.2021 under Sections 452, 506, 427, 148 and 149 of the Indian Penal Code, 1860, registered at Police Station Division No.5, Jalandhar (Annexure P-1).

Counsel for the petitioner urges that it is a case of “no injury” and the petitioner has not been named in the FIR. Counsel submits that the petitioner has been involved on the basis of a disclosure statement of a co-accused, which is inadmissible in evidence and the reason for the same is a previous enmity between the nephew of the complainant and some of the co-accused.

Notice of motion.

On asking of the Court, Mr. Saurav Khurana, DAG, Punjab accepts notice on behalf of respondent-State.

List on 20.09.2021.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

3. Even in the connected case i.e. CRM-M-20649-2021 filed on behalf of Monty & another, this Court while issuing notice of motion on 25.05.2021 had granted interim bail to the petitioners.
4. Today, learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, all the petitioners have since joined investigation and are not required for any custodial interrogation. Learned State counsel has, however, informed that petitioner in CRM-M-19623-2021 i.e. Kushal Kumar has been involved in another case in September, 2021.
5. Having regard to the aforestated position, wherein the petitioners are stated to have joined investigation and are not required for any custodial

interrogation, both the petitions are accepted and the interim directions issued by this Court vide order dated 18.05.2021 and 25.05.2021 are hereby made absolute subject to the condition that the petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

- 6. A photocopy of this order be placed on the connected file.

19.01.2022

Vimal

(GURVINDER SINGH GILL)

JUDGE

Whether speaking/reasoned:

Whether reportable:

Yes/No

Yes/No