

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

219-2

CRM-M-24310 of 2022
Date of decision:13.09.2022

Gurinder Singh and another

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Deepak Sabherwal, Advocate
for the petitioners.

Mr. Mohit Chaudhary, AAG, Punjab.

SUVIR SEHGAL, J. (Oral)

On 30.05.2022, this Court passed the following order:-

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.0145 dated 26.03.2022, registered for offences under Sections 452, 323, 506, 148 and 149 of the Indian Penal Code, 1860 (for short “IPC”) and Section 354, IPC, which was added later on, at Police Station Sohana, SAS Nagar (Mohali) (Annexure P-1).

Counsel for the petitioner contends that the petitioner No.1 is not named in the FIR. He submits that in so far as petitioner No.2 is concerned, although, he is named, but as per

allegations, he is unarmed and is alleged to have instigated the co-accused. Counsel has placed reliance upon interim order dated 04.05.2022 (Annexure P-8), whereby co-accused, Bachan Singh has been granted interim anticipatory bail by this Court.

Notice of motion.

On asking of the Court, Mr. A.S.Gill, Senior Deputy Advocate General, Punjab accepts notice on behalf of the respondent-State.

List on 13.09.2022.

To be heard with CRM-M-18383-2022.

Meanwhile, the petitioners shall join the investigation and would appear as and when called by the Investigating Officer. In the event of arrest, they shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. They shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

By an order passed on even date, anticipatory bail granted to co-accused, Bachan Singh in CRM-M-18383 of 2022 has been made absolute by this Court.

Upon instructions from ASI Baljinder, State counsel submits that both the petitioners have joined investigation and are no longer required for custodial interrogation.

In view of the above facts, but without commenting on the merits of the case, present petition is allowed and order dated 30.05.2022 granting interim bail to the petitioners is made absolute, subject to the conditions laid down in Section 438 (2) Cr.P.C.

September 13, 2022
savita

(SUVIR SEHGAL)
JUDGE

<i>Whether Speaking/Reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes/No</i>