

206 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-28812-2022

Date of Decision: 21.09.2022

JASPREET SINGH AND ANOTHER ... PETITIONERS
VS.
STATE OF PUNJAB .. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. H.S.Randhawa, Advocate
for the petitioners.

Ms. Ruchika Sabherwal, DAG, Punjab.

Ms. Sumit Kalyan, Advocate for
Mr. MJS Bedi, Advocate,
for respondent No.2.

VIVEK PURI, J.(ORAL)

On 08.07.2022, the following order was passed:-

“Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioners in case FIR No.85 dated 21.04.2022, registered under Sections 458/354/323/506/148/149 IPC, 1860 at Police Station Sadar Dhuri, District Sangrur.

Briefly, the allegations are to the effect that on 16.04.2022 at about 8:00 PM, the petitioners along with three accused had committed trespass into the house of the complainant and inflicted injuries on the person of the complainant and her mother-in-law. Besides, petitioner No.1 had also torn the clothes of mother-in-law of the complainant.

Learned counsel for the petitioners contend that two co-accused namely, Ladwinder Singh and Sukhdeep Singh have been granted pre-arrest bail by the Co-ordinate Bench of this Court and third accused namely Gurpreet Singh has been granted regular bail by the Court of Sessions. Furthermore, there is a delay of 05 days in lodging the FIR. Though, the information was sent on the following of the occurrence but the FIR was not registered as the allegations pertained to non-cognizable offence under Section 323 Cr.P.C. Subsequently, as a result of deliberations, the allegations with respect to offence under Sections 458/323 IPC have also been incorporated to aggravate the gravity of allegations.

Notice of motion.

Mr. M.S. Nagra, AAG, Punjab accepts notice on behalf of the respondent-State.

Mr. MJS Bedi, Advocate has put in appearance on behalf of the complainant and filed Vakalatnama, which is taken on record.

Adjourned to 21.09.2022.

Meanwhile, it is directed that in the event of arrest, the petitioners be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that they join the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioners contend that in pursuance of interim directions issued by this Court, the petitioners have joined the investigation.

Learned State counsel, on instructions from ASI Hakam Singh, has not assailed the aforesaid factual aspects and further contends that the custodial interrogation of the petitioners is not required.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioners. Accordingly, order dated 08.07.2022 vide which the petitioners have been granted interim bail, is made absolute.

Petition is allowed.

21.09.2022

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(VIVEK PURI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No