

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-33241-2022 (O&M)

Mohd. Muneer ... Petitioner

Versus

State of Punjab ... Respondent

II) CRM-M-20233-2022 (O&M)

Jahid ... Petitioner

Versus

State of Punjab ... Respondent

Date of Decision:-6.12.2022

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Preetinder Singh Ahluwalia, Advocate with
Mr. H.S. Randhawa, Advocate for the petitioner(s).

Ms. Swati Batra, DAG, Punjab,
assisted by SI Harnek Singh.

Mr. Mohd. Jameel, Advocate for the complainant.

GURVINDER SINGH GILL, J.(Oral)

1. This order shall dispose of the above mentioned two petitions filed on behalf of petitioners Mohd. Muneer and Jahid seeking grant of anticipatory bail in respect of a case registered vide FIR No.83, dated 25.3.2022, Police Station City-I, Malerkotla, under Sections 307, 323, 341, 506 and 34 of Indian Penal Code.

2. The allegations, in nutshell, are to the effect that the accused had inflicted injuries to the complainant and had also made an attempt to strangle the complainant with the help of an iron chain.
3. Learned State counsel, upon instructions from SI Harnek Singh, has informed that upon investigation, offence under Section 307 IPC has been deleted.
4. In view of the aforesaid position, wherein the offence under Section 307 IPC has been deleted, the main allegation surviving against the petitioner(s) would be in the shape of offence under Section 323 IPC, which is a bailable offence. It has also been informed that one of the accused namely Jahid (in CRM-M-20233-2022) has also sustained some injuries.
5. Learned State counsel has submitted that in view of the aforesaid position, as of now the State does not intend to arrest the petitioners.
6. Having regard to the aforesaid position, the instant petitions filed under provision of Section 438 Cr.P.C. seeking grant of anticipatory bail are rendered infructuous and are disposed off as such.
7. If at a later stage, the State intends to arrest the petitioners for any reason, then one week's prior written notice be afforded to the petitioners before effecting their arrest.
8. A photocopy of this order be placed on the file of connected case.

6.12.2022

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**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No