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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-40219-2021 (O&M)
Date of Decision: 25.01.2022

Balvir Singh and another

.. Petitioners

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Deepak Goyal, Advocate for the petitioners.

Mr. Ramdeep Partap Singh, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioners have filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.64 dated 30.08.2021, registered under Sections 323/341/308/34 IPC at Police Station Sherpur, District Sangrur. The petitioners apprehends their arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 27.09.2021, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“Learned counsel contends that as per allegations, the sole injury suffered by the victim was caused by co-accused Jagraj Singh @ Gora using a brick lying nearby. According to him, the petitioners are ready to join the investigation and as no role has been attributed to them, therefore, their custodial interrogation may not be necessary.

Notice of motion for 24.01.2021.

Meanwhile, the petitioners 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 further states that in deference to the said order, the petitioners submitted themselves before the Police and joined the investigation. According to him, the petitioners cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by ASI Gurpal Singh does not dispute this fact that the petitioners have joined the investigation and are not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 27.09.2021 is made absolute.

25.01.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No