

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.248

CRM-M-43468-2021

Date of decision: 15.03.2022

Kashmir Singh @ Nikka and another

....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Sanjeev Kumar, Advocate for
Mr. J.S. Dadwal, Advocate, for the petitioners.

Ms. Bhavna Gupta, DAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.0169 dated 23.06.2021 registered under Sections 354, 323, 324, 341, 506, 34 IPC (Section 326 IPC added later on) at Police Station Sadar Salem Tabri, District Ludhiana.

On October 14, 2021, this Court had passed the following order:-

“Counsel for the petitioners herein prays for grant of anticipatory bail to the petitioners, while contending that a reading of the allegations would reflect that the petitioners have allegedly used wrong words against sister of the complainant. Even otherwise, the matter has already been compromised, as would be evident from Annexure P-2, which is a Panchayati compromise. Furthermore, counsel would contend that there is an inordinate delay in registration of the FIR. It is submitted that custodial interrogation of the petitioners is not required in the matter and they are ready to join the investigation.

Notice of motion for 15.03.2022.

At this stage, Ms. Rashmi Attri, AAG Punjab, who is present in court, accepts notice on behalf of the respondent-State.

Meanwhile, the petitioners are directed to join the investigation within a

period of one week and on their doing so, in the event of arrest the petitioners be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C. ”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioners have joined the investigation; co-operated with the investigating agency and that their custodial interrogation is not required by the State.

After considering the submissions made on behalf of the petitioners in the afore-quoted order and the statement made on behalf of the State, the interim order of this Court dated 14.10.2021, granting ad interim anticipatory bail to the petitioners is ordered to be made absolute.

March 15, 2022
Jyoti 1

Whether speaking/reasoned
Whether reportable

(DEEPAK SIBAL)
JUDGE
Yes/No
Yes/No