

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

227-2

(Through Video Conferencing)

CRM-M-43931-2021

Date of decision: 19.01.2022

Manish Kumar and others

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Bipan Ghai, Sr. Advocate with
Mr. Paras Talwar, Advocate
for the petitioners.

Mr. Luvinder Sofat, AAG, Punjab
for the respondent-State.

MANJARI NEHRU KAUL, J. (ORAL)

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case FIR No.80 dated 18.05.2021 under Sections 452, 354, 323, 506, 509 and 149 IPC, registered at Police Station Mehtiana, District Hoshiarpur.

Learned Sr. Counsel submits that the petitioners have been falsely implicated and there was a delay of 3 days in lodging of the FIR. He further submits that the main accused against whom the allegation of Section 354 Cr.P.C. was alleged was Palwinder Kumar, who has since been granted interim bail by this Court vide Annexure P-14 on 28.09.2021 in CRM-M-40420 of 2021 and two more co-accused, who were similarly situated with the petitioners have already been granted interim bail by this Court on 22.09.2021.

Learned senior counsel for the petitioners submits that in compliance of order dated 18.10.2021, the petitioners have joined investigation and cooperated with the investigating agency.

Learned State counsel, on instructions from ASI Jaswinder Singh, does not dispute the factum of the petitioners having joined investigation and cooperated with the investigating agency. He further submits that the petitioners are not required for further investigation

much less custodial interrogation.

In view of the above, the petition is allowed and interim order dated 18.10.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

19.01.2022

(MANJARI NEHRU KAUL)

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JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No