

CRM-M-49715 of 2021

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

209(3)

**1. CRM-M-49715 of 2021
Date of decision:21.03.2022**

Aazam @ Ajju

... Petitioner

Vs.

State of Punjab

... Respondent

2. CRM-M-49949 of 2021

Jaimes Bhatti and another

... Petitioners

Vs.

State of Punjab

... Respondent

3. CRM-M-49955 of 2021

Rani

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Tarun Sharma, Advocate
for the petitioner in all the cases.

Mr. Amandeep Singh Gill, Sr. DAG, Punjab.

SUVIR SEHGAL, J. (Oral)

This order will dispose of three petitions bearing Nos.CRM-M-49715 of 2021 titled as 'Aazam @ Ajju Vs. State of Punjab'; CRM-M-49949 of 2021 titled as 'Jaimes Bhatti and another Vs. State of Punjab' and CRM-

M-49955 of 2021 titled as 'Rani Vs. State of Punjab'.

While granting interim protection to the petitioners, this Court passed the following order on 31.01.2022:-

“Heard through video conferencing.

Petitions have been filed under Section 438 of Code of Criminal Procedure, 1973, seeking grant of anticipatory bail in case FIR No.127 dated 23.09.2021, registered under Sections 353/186/354-A/506 and 149 of IPC, 1860, at Police Station Kulgarhi, District Ferozepur, Annexure P-1.

Counsel for the petitioners submits that an altercation took place between the petitioners and the complainant, who is a multipurpose health worker, due to apprehension and misconception surrounding the vaccination drive. He submits that accused-Aazam @ Ajju is alleged to have hurled abuses, Jaimes Bhatti is accused of slapping the complainant and accused-Ajay @ Billa, is alleged to have pulling off the chunni of the complainant.

Reply by way of an affidavit of Deputy Superintendent of Police (Rural), Ferozepur has been filed in CRM-M-49949-2021 on behalf of the respondent-State, which is taken on record. By referring to the same, State counsel submits that during investigation, when the police went to the house of the accused, they attacked the police party and caused injuries to a police official as well as snatched his mobile and FIR No.128

dated 24.09.2021 was registered at Police Station Kulgarhi, District Ferozepur, against the accused.

Counsel for the petitioners submits that the petitioners have been granted anticipatory bail in the said FIR.

List on 21.03.2022.

Order dated 22.12.2021 is modified.

Meanwhile, the petitioners are directed to join the investigation on 07.02.2022 at Police Station Kulgarhi, District Ferozepur, at 11.00 am and co-operate with the Investigating Agency. In case, they are sought to be arrested by the Arresting/Investigating Officer, they shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.

Photocopy of this order be placed on the files of other connected cases.”

Counsel for the petitioners submits that allegations against Rani (petitioner in CRM-M-49955 of 2021) is of throwing chair on the complainant, which did not hit her.

Upon instructions from ASI Kulwant Singh, State counsel submits that all the four accused-petitioners have joined the investigation and are no longer required for custodial interrogation.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed and the order dated

31.01.2022 granting interim bail to the petitioners is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

March 21, 2022
savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No