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

CRM-M-52796-2021

Date of Decision: 22.02.2022

Onkar Singh Grewal

.....Petitioner

Vs.

State of Punjab

.....Respondent

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CRM-M-1705-2022

Kuldeep Singh

....Petitioner

vs.

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. G.B.S. Dhillon, Advocate,
for the petitioner (in CRM-M-52796-2021).

Mr. Varinderpal Singh Mitherwal, Advocate,
for the petitioner (in CRM-M-1705-2022).

Mr. M.S. Nagra, A.A.G., Punjab.

Mr. Ramesh Sharma, Advocate, for the complainant.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

By these petitions, the petitioners seek the concession of 'pre-arrest bail', upon FIR No. 0095 having been registered at Police Station Bilga, District Jalandhar (Rural), on 06.11.2021, alleging therein the commission of offences punishable under the provisions of Sections 458/323/148/149 of the IPC (with Sections 459 and 325 of the IPC having been added later).

The petitioner in CRM-M-52796-2021 having been ordered to be

admitted to bail upon joining investigation, vide an order passed on 17.12.2021, on the strength of that order and looking at the allegations made against the petitioner in CRM-M-1705-2022, of having allegedly attributed only a push to the complainant, he was also ordered to be admitted to bail upon joining investigation.

Thereafter, a status report has been filed in each petition by the Deputy Superintendent of Police, Sub-Division Phillaur, dated 11.02.2022, with learned State counsel pointing to paragraph 4 (vi and vii) to submit that the petitioners having joining investigation and with the '*challan*' having been presented, there is no need for their custodial interrogation.

Mr. Ramesh Sharma, learned counsel appearing for the complainant in both the cases, vehemently opposes the petitioners being admitted to bail absolutely but with the stand of the investigating agency itself being as recorded above, even in terms of the judgment of the Supreme Court in MC Abraham vs. State of Maharashtra (2003) 2 SCC 649, I would see no ground to not made the order passed earlier absolute.

Consequently, without making any comment on the actual merits of the case against either of the petitioners, the petitions are allowed with the orders dated 17.12.2021 passed in CRM-M-52796 of 2021 and 17.01.2022 in CRM-M-1705-2022, made absolute on the same terms and conditions.

A photocopy of this order be placed on the file of the other connected case.

February 22, 2022

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Whether speaking/reasoned
Whether Reportable

(AMOL RATTAN SINGH)

JUDGE

Yes
No.