

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

CRM-M-3888-2023 (O&M)
Date of Decision : 31.10.2023

PARAMJIT SINGH AND OTHERS ... Petitioners

VERSUS

STATE OF PUNJAB ... Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. A.S. Khinda, Advocate for the petitioners.

Mr. Adhiraj Singh Thind, AAG Punjab.

Mr. Neeraj Jain, Advocate for
Mr. Raman Singla, Advocate for the complainant.

ALKA SARIN, J. (ORAL)

1. This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioners in FIR No.442 dated 18.12.2022 under Sections 354, 326, 324, 323, 148, 149 of the Indian Penal Code, 1860 registered at Police Station Kotwali, Kapurthala, District Kapurthala.

2. On 27.07.2023 the following order was passed :

“This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioners in FIR No.442 dated 18.12.2022 under Sections 354, 326, 324, 323, 148 and 149 of Indian Penal Code, 1860 (IPC), registered at Police Station

Kotwali Kapurthala, District Kapurthala.

Learned counsel for the petitioners would contend that in the present case, even as per the version in the FIR, all four petitioners were empty handed. It is further the contention that as per the MLR the injuries received by the son of the complainant are on the right middle finger, right ring finger and right little finger. Learned counsel would further contend that the injuries alleged to have been caused by the petitioners are not even co relating to the injuries as mentioned in the MLR.

Learned counsel for the State has pointed to the status report filed by way of affidavit of Sh. Maninder Pal Singh, PPS, Deputy Superintendent of Police, Sub Divisional Kapurthala wherein it has been stated that this is a case of cross-version and that some of the petitioners have also received injuries.

List on 31.10.2023.

Meanwhile, the petitioners are directed to join investigation as and when called for. In the event of arrest, the petitioners shall be admitted to interim bail on furnishing adequate surety and personal bonds to the satisfaction of the Arresting Officer. The petitioners shall also abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.”

3. Learned counsel for the petitioners would contend that pursuant to the said order, the petitioners have joined investigation and have fully cooperated.

4. Learned counsel for the State, on instructions from SI Tarsem Singh, has stated that the petitioners have since joined investigation and have fully cooperated and that they are no longer required for further custodial interrogation as of now.

5. In view of the above, the order dated 27.07.2023 is made absolute. The petitioners shall, however, join investigation as and when called. The petitioners shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

6. Disposed off accordingly. Pending applications, if any, also stand disposed off.

31.10.2023
Aman Jain

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO