

**201-1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-4729-2023
Date of decision: 25.05.2023**

SUKHMANDER SINGH AND ANR.

...PETITIONERS

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Inderjit Sharma, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI,J. (ORAL)

1. Mr. Deepak Aggarwal, Advocate has put in appearance on behalf of the complainant and filed power of attorney, which is taken on record.
2. On 06.02.2023, the following order was passed:-

“The petitioners are seeking anticipatory bail in the case bearing FIR No.0172 dated 16.12.2022 under Sections 365/341/342/323/148 and 149 IPC registered at Police Station Dayalpura, District Bathinda. Learned counsel for the petitioners contend that the FIR has been registered on account of dispute between the complainant and petitioner No.2, which has arisen out of an agreement to sell. The FIR has been lodged on the basis of false allegations. The injuries attributed fall under Section 323 IPC. The false allegations have been levelled in the FIR that complainant was taken to the house of Baljeet Singh, co-accused and tied with guava tree. It is a case of version and cross-version. The cross version has been registered vide G.D. No.23 dated 16.12.2022 at Police Station Dayalpura, District Bathinda as the complainant and his accomplices had inflicted injuries on the person of petitioner No.2 and his mother. The co-accused-Rajveer Singh and others have been granted interim bail in terms of the order dated 19.01.2023 passed in CRM-M-2866-2023. Notice of motion. Ms. Ruchika Sabherwal, DAG, Punjab, accepts notice on

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behalf of the respondent-State. Adjourned to 18.05.2023. To be heard alongwith CRM-M-2866-2023. In the meanwhile, the petitioners are directed to join investigation and in the event of their arrest, they shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

3. Learned counsel for the petitioners contend that the petitioners have joined the investigation in pursuance of interim directions.
4. On instructions from ASI Farwinder Singh, learned State counsel submits that the petitioners have joined the investigation and their custodial interrogation is not required. She further submits that subsequent to the registration of FIR, the offence under Section 325 has also been added in the instant case.
5. It has not been disputed that the offence under Section 325 IPC has been added on the basis of same allegations.
6. In view of the aforesaid submissions, the order dated 06.02.2023, granting interim bail to the petitioners is made absolute.
7. However, it is made clear that this order shall also be construed to have been passed with regard to the commission of offence under Section 325 IPC.
8. The petition is allowed.

25.05.2023
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(VIVEK PURI)
JUDGE

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