

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

210-1

CRM-M-9108-2023

Date of decision: 17.08.2023

Gurpreet Singh and others

..Petitioners

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Virender Kumar, Advocate for the petitioners.

Mr. HS Sullar, Sr. DAG, Punjab.

AMAN CHAUDHARY, J.

1. On 21.02.2023, this Court had passed the following order:-

“Learned counsel for the petitioner inter alia contends that the petitioners have been falsely nominated as accused in the present case and even otherwise only simple injuries caused with blunt weapon have been attributed to the petitioners and similarly situated co-accused, namely, Nanak Singh has been granted the concession of interim bail by this Court vide order dated 08.02.2023 passed CRM-M-6563-2023. He further submits that the petitioner is having no criminal antecedents and is ready to join the investigation with the police.

Notice of motion.

Mr. C.L. Pawar, Addl. A.G., Punjab, who is present in the Court, accepts notice on behalf of the respondent-State and on instructions from HC Jaskaran Singh, submits that the petitioners and their companions constituted an unlawful assembly and tres-passed into the house of the complainant after breaking open its gate and then caused injuries to the complainant and other members of the family with different and the petitioners were armed with different weapons. However, learned State counsel has not disputed the fact that the injuries caused by the accused persons are found to be simple nature and further similarly situated co-accused, Nanak Singh is granted interim protection vide order dated 08.02.2023 Annexure P-3.

Now be listed on 17.08.2023.

In the meanwhile, in case of arrest, the petitioners are directed to be released on interim bail by the Investigating Officer/Arresting Officer subject to his own satisfaction. The petitioners should join investigation with the police well in time before the next date of hearing and to abide by the conditions envisaged under Section 438 (2) Cr.PC.

The report of the Investigating Officer be also called in this context on the next date of hearing.

To be heard along with CRM-M-6563-2023.”

2. Learned counsel submits that in pursuance of the afore-mentioned order, the petitioners have not only joined investigation but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioners to appear, they shall make themselves available without demur.
3. Learned State counsel on instructions from ASI Jagdev Singh affirms the factum of joining the investigation by the petitioners and cooperating with the investigating agency. He also submits that at this stage, the petitioners are not required for further custodial interrogation.
4. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioners are allowed and the order dated 21.02.2023 granting interim bail to them, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C
5. However, it is made clear that if the petitioners fail to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to them.

17.08.2023
ashok

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No