

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

(211)

CRM-M-12707 of 2023
DATE OF DECISION:-18.05.2023

Manish Kumar and another

...Petitioners

vs.

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Arnav Sood, Advocate, for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

HARKESH MANUJA, J.

By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioners pray for grant of pre-arrest bail in case FIR No.0142 dated 17.12.2022 under Sections 504, 506, 341, 323, 148 IPC and Sections 27/54/59 of Arms Act, registered at Police Station Haryana, District Hoshiarpur.

This Court, while issuing notice of motion on 15.03.2023, passed the following order:

“Learned counsel for the petitioners inter alia submits that petitioners were never named in FIR and at the time of registration thereof, no specific role attributed to them whereas their attribution was disclosed by complainant after 11 days. He also submits that the main accused namely Maninder Singh @ Timmi has already been granted concession of regular bail by the trial Court.

Notice of motion for 18.05.2023.

In the meanwhile, petitioners will join investigation before the Investigating Officer as and when called. In the event of their arrest, the Arresting Officer would admit them to interim bail, till the next date of hearing, on their furnishing adequate bail

and surety bonds to his satisfaction. The petitioners are also directed to abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

Learned counsel for the petitioners states that in pursuance of order dated 15.03.2023 passed by this Court, the petitioners have already joined investigation.

The above factual position is duly acknowledged by learned State counsel, on instructions from ASI Virender Singh, P.S. Haryana, Hoshiarpur, by submitting that the petitioners have joined investigation and their custodial interrogation is no longer required in this case.

In view of the above, the petition is allowed. Interim order dated 15.03.2023 is hereby made absolute, subject to all the conditions as envisaged under Section 438(2) Cr.P.C.

18.05.2023
anil

(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No