

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

205

CRM-M-15033-2023 (O&M)

Date of decision: 25.04.2023

RANJIT SINGH AND ANR

....Petitioners

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Ritesh K. Sharma, Advocate for the petitioners

Mr. Manipal Singh Atwal, DAG Punjab

AMAN CHAUDHARY. J.

1. Present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail in FIR No.9 dated 01.02.2023, under Sections 324, 323, 506, 148 and 149 of the Indian Penal Code, 1860 (Section 326 IPC added later on) registered at Police Station Nakodar Sadar, District Jalandhar.

2. On 24.03.2023, this Court had passed the following order:-

“The present petition has been filed under Section 438 Cr. P.C. for grant of pre-arrest bail to the petitioners in case FIR No. 0009 dated 01.02.2023, registered under Sections 324, 323, 506, 148 and 149 of the Indian Penal Code (Section 326 IPC added later on) at Police Station Nakodar Sadar, District Jalandhar.

Learned counsel for the petitioner submits that it is a case of version and cross version. The petitioners' side also having received injuries at the hands of the complainant party that relates to an incident of kite flying on the roof of the house on 27.01.2023. The attribution to both the petitioners is of having inflicted injuries on the little finger of right hand and on left elbow of Piara Lal. The petitioners are not involved in any other case. He further submits that the petitioners are ready and willing to join the investigation as and when required by the investigating agency.

Notice of motion.

At the asking of the Court, Mr. Manipal Singh Atwal, DAG, Punjab accepts notice on behalf of respondent-State.

Meanwhile, the petitioners are directed to join the investigation on or before 30.03.2023. In the event of arrest of

the petitioners, they shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance enshrined under Section 438(2) Cr.P.C.

However, it is clarified that if the petitioners do not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.

Adjourned to 25.04.2023.”

3. Learned counsel for the petitioners submits that in pursuance of order dated 24.03.2023 of this Court, the petitioners have not only joined investigation but have 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.

4. Learned State counsel on instructions, affirms the factum of joining the investigation by the petitioners and cooperating with the investigation agency. He also submits that at this stage, the petitioners are not required for further custodial interrogation.

5. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioners is allowed and the order dated 24.03.2023 granting interim bail to them, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C

6. However, it is made clear that if the petitioners fail to join and cooperate with the investigation 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.

(AMAN CHAUDHARY)
JUDGE

25.04.2023

S.Sharma(syr)

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