

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

214+2

CRM-M-16042-2023

Date of Decision: 26.04.2023

Nanak Singh and Others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Gagandeep Singh Sirphikhi, Advocate for the petitioners
Mr. Vipin Pal Yadav, Addl. AG, Punjab

JAGMOHAN BANSAL, J. (ORAL)

1. On 29.03.2023, the following order was passed:-

“Through instant petition under Section 438 of Code of Criminal Procedure, 1973, the petitioners are seeking anticipatory bail in FIR No. 29 dated 1.3.2023, under Sections 323, 324, 354, 506, 148 and 149 of IPC (section 326 IPC added subsequently) and Sections 25, 27 of Arms Act, registered at Police Station, Shri Hargobindpur, Police District Batala.

Learned counsel for the petitioner inter alia contends that this Court vide order dated 23.3.2023 passed in CRM-M- 14679 of 2023 has granted concession of interim anticipatory bail to coaccused(s). The petitioners are similarly situated, thus, on the ground of parity, they deserve concession of interim protection.

Notice of motion. To be heard alongwith CRM-M14679 of 2023.

Interim order in the same terms.

On the asking of Court, Mr. Amish Sharma, AAG, Punjab, who is present in Court on advance notice, accepts notice on behalf of State-respondent.

The petitioners shall appear before the investigating officer on 06.04.2023.”

2. Learned State counsel submits that petitioners have joined investigation and no custodial interrogation is required.

3. In view of the above facts and circumstances, the petition is allowed and the interim bail/protection granted to the petitioners vide order dated 29.03.2023 is made absolute subject to the conditions envisaged under Section 438(2) of Cr.P.C.

4. If the petitioners or their family members/associates make any attempt to threat/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted by this order.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and Trial Court shall proceed without being prejudiced by observations of this Court.

(JAGMOHAN BANSAL)
JUDGE

26.04.2023
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>