

205(1)

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 15870 of 2023 (O&M)
Date of Decision :29.08.2023

(1) CRM-M No. 15870 of 2023 (O&M)

Navjot Singh @ Nav

Versus

State of Punjab

... Petitioner

... Respondent

(2) CRM-M No. 17981 of 2023 (O&M)

Gagandeep Singh @ Rajput

Versus

State of Punjab

... Petitioner

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Ravi Chadda, Advocate for
Mr. Inderpal Singh, Advocate
for the petitioner in CRM-M-15870 of 2023

Mr. R.S. Sidhu, Advocate
for the petitioner in CRM-M-17981-2023

Ms. Swati Batra, DAG, Punjab.

Mr. Rahi Mehra, Advocate for the complainant.

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SANJIV BERRY, J.

This order shall dispose of both the aforesaid petitions under

Section 438 Cr.P.C preferred by the petitioners seeking anticipatory bail in

in FIR (Annexure P-1) as under:-

FIR No.	Dated	Sections	Police Station
44	18.02.2023	323, 452, 506, 148, 149 IPC (325 IPC added lateron)	City Tarn Taran, District Tarn Taran

2. Learned counsel for the petitioners submits that in compliance to the order dated 17.04.2023 passed in CRM-M-17981-2023 and dated 24.05.2023 passed in CRM-M- 15870-2023, the petitioners have joined the investigation.
3. Learned State counsel informs the Court that the petitioners have joined the investigation and are neither required for further investigation nor for any custodial interrogation. He has also referred to the reply submitted by the Deputy Superintendent of Police Sub Division Tarn Taran, District Tarn Taran dated 03.08.2023 to submit that the recovery of weapon has been effected from the petitioners and the petitioners had cooperated in the investigation.
4. The learned counsel representing the complainant has opposed the bail application by submitting that the petitioners had caused multiple injuries to the complainant and other persons and as such they do not deserve concession of bail.
5. After considering the rival contentions and perusing the record it transpires that the offences alleged in the present FIR are sections 452, 323, 325, 506, 148,149 IPC. Admittedly, the injuries are on non vital part of the body. Except for offence under Section 452 IPC, all other offences are bailable. Vide orders dated 17.04.2023 passed in CRM-M-17981-2023 and

dated 24.05.2023 passed in CRM-M- 15870-2023, the petitioners were directed to join the investigation. It is intimated by learned State counsel relying upon the reply filed by the Deputy Superintendent of Police Sub-Divisional Tarn Taran dated 03.08.2023 that the petitioners have joined and cooperated with investigation and are no more required for further investigation nor are they required for custodial interrogation.

6. Consequently, keeping in view the above facts and circumstances and the fact that the petitioners having joined investigation are not required for further investigation or custodial interrogation, the interim bail granted to the petitioners vide orders dated 17.04.2023 in CRM-M-17981-2023 and dated 24.05.2023 in CRM-M- 15870-2023 are hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further, they will not tamper with the evidence nor will influence the witnesses; shall cooperate with the investigation as and when so required.

7. The petitions stand allowed.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

9. A photocopy of this order be placed on the file of other connected case.

(SANJIV BERRY)
JUDGE

29.08.2023

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- i) Whether speaking/reasoned?
- ii) Whether reportable?

Yes/No
Yes/No