

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.201-2

CRM-23801-2023 in/and
CRM-M-23721-2023
Date of decision: 04.09.2023

Jaswant Singh and another

....Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Manish Kumar Singla, Advocate
for the petitioners.

Ms. Deepali Puri, Addl. A.G., Punjab.

* * *

DEEPAK SIBAL, J. (Oral)

1. Status report filed on behalf of the State in Court today is ordered to be taken on record.

2. The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.55 dated 19.04.2023 registered under Sections 307, 341, 324, 323, 325, 326, 506, 427 and 34 IPC at Police Station Sadar Dhuri, District Sangrur.

3. On 10.05.2023, this Court had passed the following order:-

“Learned counsel for the petitioners inter-alia contends that the petitioners have been falsely implicated in this case; the petitioners have no other criminal antecedents; in fact, the complainant side was the aggressor and a cross case in this regard has already been got lodged by the petitioners side against the complainant side; even if the case of the prosecution is taken as the gospel truth, though vehemently denied, the petitioners are attributed only simple injuries; the injury attracting applicability of Section 307 IPC is attributed to co-accused Gurwinder Singh who

is already behind the bars and that the petitioners are also ready and willing to join and cooperate with the investigation.

Notice of motion.

Mr. Arun Luthra, DAG, Punjab, accepts notice on behalf of the respondent-State and prays for time to argue the matter.

Adjourned to 31.08.2023.

In the meanwhile subject to the petitioners' joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438 (2) Cr.P.C, in the event of their arrest in FIR No.55 dated 19.04.2023 registered under Sections 307, 341, 324, 323, 506, 427 and 34 IPC at Police Station Sadar Dhuri, District Sangrur, they shall be released on *ad interim* anticipatory bail to the satisfaction of the Arresting Officer.”

4. Learned State counsel submits that under the afore-quoted orders passed by this Court, the petitioners have joined and co-operated with the investigation and that their custodial interrogation is not required by the State.

5. After considering the submissions made on behalf of the petitioners as have been recorded in the afore-quoted order and the statement made on behalf of the State, subject to the petitioners abiding by the conditions provided under Section 438(2) Cr.P.C., the order of this Court dated 10.05.2023, granting ad interim anticipatory bail to the petitioners is ordered to be made absolute.

September 04, 2023
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No