

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-M-25810-2023
Date of decision: 12.07.2023

Saurav and another

....Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Ms. Jigyasa Tanwar, Advocate
for the petitioners

Mr. Manipal Singh Atwal, DAG, Punjab

Mr. Abhishek Khullar, Advocate
for the complainant

AMAN CHAUDHARY. J.

1. On 22.05.2023, this Court had passed the following order:-

“Prayer in this petition is for grant of anticipatory bail in case FIR No.50 dated 11.03.2023 registered under Sections 307, 323, 341, 506, 148 and 149 IPC, registered at Police Station Jamalpur, Ludhiana.

Learned counsel for the petitioners inter alia contends that it is a case of version and cross version in which complainant-Pintu and his brother namely, Sintu received injuries and from the side of the petitioner, Saurav-petitioner No.1, his brother namely, Rahul, his brother-in-law namely Anil Tripathi suffered injuries as discernable from their respective medico legal reports (Annexures P-2 to P-6).

The incident is stated to have taken place during a cricket match and as there is no previous enmity between the parties, no motive is attributed. Even in the FIR, the complainant has indicated that efforts for compromise were made and the injuries attracting Section 307 is attributed to co-accused Rahul who alongwith the father of the petitioner are already in custody and the cross version is recorded vide DDR No. 40 dated 11.03.2023 (Annexure P-7).

Notice of motion, returnable on 12.07.2023.

On the asking of the Court, Mr. Dhruv Dayal, Addl. A.G. Punjab, accepts notice on behalf of the respondent(s)-State.

Meanwhile, the petitioner is directed to join the

investigation within a period of one week and in the event of arrest, the petitioner be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions incorporated under Section 438(2) Cr.P.C. ”

2. Learned counsel submits that in pursuance of the above order, the petitioners have not only joined investigation, but also fully cooperated with the investigating agency. She further submits that in case the investigating agency requires the petitioners to appear, they shall make themselves available without demur.

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

4. 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 22.05.2023 granting interim bail to them, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr.P.C.

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

12.07.2023
Mehak

(AMAN CHAUDHARY)
JUDGE

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