

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M No.27247 of 2023

Date of decision: 21<sup>st</sup> August, 2023

Surjit Singh & another

... Petitioners

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Salil Dev S. Bali, Advocate for the petitioner.

Mr. Subhash Godara, Addl. Advocate General, Punjab  
for the respondent/State.

Mr. Kuldeep Singh, Advocate for the complainant.

**MANJARI NEHRU KAUL, J. (ORAL)**

1. The petitioners are seeking the concession of anticipatory bail in FIR No.175 dated 22.08.2022 for the offences under Sections 323, 148, 149 IPC (Sections 308, 506 IPC added later on) registered at Police Station Sadar Fazilka, District Fazilka.

2. On the last date of hearing, i.e. 29.05.2023, while noticing the following submissions made by learned counsel for the petitioners, this Court had granted the concession of interim bail to the petitioners and asked them to join investigation.

*“Learned counsel, while drawing the attention of this Court to the allegations levelled in the FIR, which has been annexed as Annexure P-1, submits that it is clearly evident therein that no specific injury much less the injury inviting the mischief of Section 308 IPC has been attributed to the*

*petitioner. He submits that the injury on the head attracting the mischief of Section 308 IPC has been attributed to co-accused Satnam Singh and which too was added by the investigating officer after seven months of the occurrence in question.”*

3. Learned counsel for the petitioners submits that in compliance of the order dated 29.05.2023, the petitioners have joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Rajwinder Singh, does not dispute the factum of the petitioners having joined investigation and cooperated with the investigating agency. He, on further instructions submits that the petitioners are not required for further investigation much less for their custodial interrogation.

5. In the circumstances, the petition is allowed and the interim order dated 29.05.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioners misuse the concession of bail granted to them, the State would be at liberty to seek cancellation of the bail granted to them.

**(MANJARI NEHRU KAUL)**  
**JUDGE**

**August 21, 2023**

*rps*

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No