

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

**CRM-M-30567-2023 (O&M)
Date of decision : 16.08.2023**

Sukhwinder Singh @ Sukha Singh and another

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Suman Sharma, Advocate for
Mr. Akhilesh Vyas, Advocate for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition under Section 438 of the Code of Criminal Procedure has been filed for grant of pre-arrest bail to the petitioners in FIR No.0033 dated 21.04.2023, under Sections 379, 186, 353, 506, 148 & 149 of the Indian Penal Code, 1860, registered at Police Station Ramdas, District Amritsar Rural.

(2) Above FIR was registered on the basis of statement made by complainant-Gulraj Singh with the allegations that on 21.04.2023 at about 09:30 PM, he received information that illegal cutting of trees was being done in the area of Kamalpur. When he reached at the spot, both the

petitioners along with Tarlochan Singh, Nazar and some other unidentified persons started abusing and taking advantage of night, some of them fled away along with wood cut by them.

(3) This Court, vide order dated 15.06.2023, granted interim bail to petitioner and the same reads as under:-

“Notice of motion.

Ms. Monika Jalota, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State and seeks time to have instructions and/or file written response in the matter.

Posted on 07.08.2023.

In the meanwhile, petitioners shall join investigation before the Investigating Officer. In the event of their arrest, the Arresting Officer would admit them to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioners shall also abide by all the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”

(4) Learned counsel submits that in pursuance of the aforesaid order, petitioners have already joined the investigation and their custodial interrogation is not required.

(5) Learned State Counsel, on instructions from ASI Angrej Singh, submits that both the petitioners have joined investigation and as on today, their custodial interrogation is not required.

(6) In view of above, interim order dated 15.06.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(7) It is also made clear that petitioners shall fully co-operate with the Investigating Officer as and when called for further investigation.

- (8) The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
- (9) Disposed off accordingly.

August 16th, 2023
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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