

2023:PHHC:138245

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

**Date of Decision: 30.10.2023
CRM-M-41647-2023**

**RAHUL ... PETITIONER
VS.
STATE OF PUNJAB .. RESPONDENT**

CRM-M-41700-2023

**HUSAN LAL ... PETITIONER
VS.
STATE OF PUNJAB .. RESPONDENT**

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Surinder Sharma, Advocate
for the petitioners.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J.(ORAL)

1. On 23.08.2023, the following order was passed:-

“1. Petitioners are seeking anticipatory bail in case bearing FIR No.87 dated 26.06.2023 under Sections 341, 323, 379, 354, 506 IPC registered at Police Station Adampur, District Jalandhar Rural.

2. Learned counsel for the petitioners contend that as per the allegations, petitioner-Husan Lal had committed the theft of motor-cycle belonging to the family of the complainant. Subsequently, both the petitioners had inflicted injuries on the person of the complainant and her daughter. Besides, they had also torn her clothes. It has been further submitted that the petitioners and the complainant-party are residing in the neighborhood since long. There was some monetary dispute between the parties and on that score, the present FIR has been lodged. Even the injuries on the person of the injured fall under Section 323 IPC. The recovery of

the motor-cycle has also been effected.

3. Notice of motion.

4. Ms. Ruchika Sabherwal, DAG Punjab accepts notice on behalf of the State.

5. Adjourned to 30.10.2023.

6. Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

7. A photocopy of this order be placed on the file of connected case.”

2. Learned counsel for the petitioners contend that in pursuance of interim directions issued by this Court, the petitioners have joined the investigation.

3. Learned State counsel, on instructions from ASI Joginder, has not disputed the aforesaid factual aspects and further submits that custodial interrogation of the petitioners is not required.

4. Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioners. Accordingly, order dated 23.08.2023, vide which the petitioners have been granted interim bail, is made absolute.

5. Petitions are allowed.

30.10.2023
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No