

213

2023:PHHC:139368

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-M-43110-2023

Date of decision: 31.10.2023

JATINDER ALIAS KUKU AND ANOTHER

...PETITIONERS

V/S

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON’BLE MR. JUSTICE SANJIV BERRY

Present: Mr. Eklavya Darshi, Advocate for the petitioners.

Mr. Subhash Godara, Addl. A.G., Punjab.

SANJIV BERRY J. (ORAL)

By way of present petition filed under Section 438 Cr.P.C, the petitioner seeks anticipatory bail in case FIR as under: -

FIR No.	Dated	Sections	Police Station
0115	12.06.2023	452, 323, 324, 506, 148, 149 of IPC	Division No.8, Ludhiana.

2. Learned counsel for the petitioners submits that in compliance to the order dated 10.10.2023, the petitioners have joined the investigation.
3. Learned State counsel on instructions from ASI Harjeet Singh, informs the Court that the petitioners have joined the investigation and are neither required for further investigation nor for any custodial interrogation.
4. During the course of hearing, on 10.10.2023, the following order was passed:-

“It is, inter alia, submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in this case and even as per the FIR only simple

injuries are attributed to them. He submits that the petitioners are ready to join investigation.

2. *Learned State counsel on instructions fromn ASI Harjit Singh submits that as per the record, the injuries attributed to the petitioners are simple in nature.*

3. *In the circumstances, without commenting on the merits of the case, the petitioners are hereby directed to join investigation within seven days from today and co-operate in the same. In the event of the arrest of the petitioners, they shall be released on interim bail on their furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. They shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.*

4. *Adjourned to 31.10.2023.”*

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioners had joined the investigation consequent to the order dated 10.10.2023 passed by this Court, interim bail granted vide order dated 10.10.2023 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further, the petitioners are directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioners; they will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.

7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

October 31, 2023
manisha

(SANJIV BERRY)
JUDGE