

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

208

CRM-M-43105-2023**Date of decision: 10.10.2023**

Karan Dhir and another

....Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY*********

Present : Mr. Vikasdeep Singh, Advocate
for the petitioners

Mr. Manipal Singh Atwal, DAG, Punjab

***********AMAN CHAUDHARY. J.**

1. On 31.08.2023, this Court had passed the following order:-

“The present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of pre-arrest bail to the petitioners in FIR No.229 dated 05.06.2023 registered under Sections 325, 323, 148, 149 and Section 452 of Indian Penal Code added later on, at Police Station City Ferozepur, District Ferozepur.

Learned counsel appearing on behalf of the petitioners contends that there was a matrimonial dispute between the complainant and his wife namely Priyanka, who is the sister of the petitioners. The injury attributed to petitioner No.1 is on the little finger of the complainant while the injury attributed to petitioner No.2 are on the shoulder and back of the complainant, which are simple in nature. There are also two

cases registered against petitioner No.1 wherein he was on bail, whereas petitioner No.2 is not involved in any other case. They are ready and willing to join the investigation.

Notice of motion.

At the asking of the Court, Ms. Himani Arora, AAG, Punjab, accepts notice on behalf of respondent-State.

Meanwhile, the petitioner is directed to join the investigation on or before 11.09.2023. In the event of their arrest, they shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance of conditions as enshrined under Section 438(2) Cr.P.C.

However, it is clarified that if the petitioner does not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.

Adjourned to 10.10.2023.”

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. He further submits that in case the investigating agency requires the petitioner 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 31.08.2023 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.

10.10.2023
Mehak

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No