

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

205 (02)

CRM-M-46729-2023

Date of Decision:11.12.2023

Ravideep and Another

.....Petitioners

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Harlove Singh Rajput, Advocate
for the petitioners.

Mr. M.S. Nagra, AAG, Punjab assisted
by ASI Gurbant Singh.

DEEPAK GUPTA, J.(ORAL)

On 21.09.2023, following order was passed:

“The present petition has been filed under Section 438 of the Code of Criminal Procedure, praying for grant of anticipatory/pre-arrest bail to the petitioners in case FIR No. 121 dated 12.08.2023, registered under Section 307, 379-B, 364, 341, 323, 148, 149, 506 and 120-B of the Indian Penal Code and Sections 25 and 27 of the Arms Act, 1959, at Police Station Jaito, District Faridkot (Annexure P-1).

It has been pointed out by counsel for the petitioners that the case against the petitioners is totally false and concocted. Even as per the story of the prosecution, complainant-Karamveer Singh was sent to the co-accused, namely, Surinder Singh alias Gagni for purchasing of drugs by one Constable Khushwinder Singh. Although the said constable Khushwinder Singh is posted in the same police station, where the FIR in question has been registered, however, still he has not been arrested by the Police so far.

Notice of motion.

Mr. Sandeep Singh, Additional Advocate General, Punjab accepts notice on behalf of the respondent - State and seeks time to get instructions.

Adjourned to 19.10.2023.

Meanwhile, in the event of arrest, the petitioners be released on bail, subject to their furnishing personal/surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

Today learned State counsel, on instructions from ASI Gurbant Singh, submits that petitioners have since joined the investigation and are not required for custodial interrogation.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated 21.09.2023 is hereby made absolute, whereby petitioners were granted interim anticipatory bail.

However, the petitioners shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

December 11, 2023

Neetika Tuteja

**(DEEPAK GUPTA)
JUDGE**

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No