

205-b IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:105987
CRM-M-52088-2022
Date of Decision: August 17, 2023

Rajat and others ...Petitioners

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Naveen Batra, Advocate for the petitioners.

Mr. R.S. Khaira, DAG, Punjab.

Mr. A.S. Jattana, Advocate for the complainant.

DEEPAK GUPTA, J.(Oral)

On 14.11.2022, following order was passed by this Court:-

“Prayer is for grant of anticipatory bail to the petitioners in criminal case having FIR No.139 dated 12.10.2022 registered under Sections 323, 342, 452, 506, 148, 149 IPC (Section 325 IPC added later on) at Police Station Nangal, District Rupnagar. Counsel for the petitioners inter alia contends that the petitioner has been falsely implicated in the present case at the instance of complainant-Kamaldev who is a retired police inspector; that there is also a cross version, as per which, the complainant party caused injuries to Rohan Sharma and Shama Rani who were medico legally examined vide Annexures P-3 and P-4. He further submits that no offence under Section 452 IPC is made out as the occurrence took outside the residential house of the complainant and all other offences are bailable one and further no specific injury has been attributed to the petitioners who are ready to join the investigation. He further submits that similarly situated co-accused Parveen Kaushal has been granted concession of interim anticipatory bail by this Court vide order dated 11.11.2022 in CRM-M-51861-2022. Notice of motion. Mr. C.L.Pawar, Addl. AG, Punjab accepts notice on behalf of the State and on instructions from ASI Pritam Singh has not disputed the fact that against the allegations in the present FIR, there is also cross version regarding which DDR (Annexure P-2) was registered. He

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has also not disputed that co-accused Parveen Kaushal has been given benefit of anticipatory bail by this Court. Now be listed on 24.2.2023.

In the meantime, in case of arrest, the petitioners are directed to be released on interim bail by the IO/Arresting Officer to his own satisfaction till the next date of hearing. The petitioners should join the investigation with the police well in time before the next date of hearing and are to abide by the conditions as envisaged under Section 438(2) of Cr.P.C.”

On the last date of hearing i.e. on 24.05.2023, it was informed by learned State counsel that the petitioners had joined the investigation and were no longer required for further investigation. However, counsel for the complainant sought time to argue the matter.

It is contended learned counsel for the complainant that the petitioners are still threatening the complainant. However, he agrees that he will pursue remedy, in case any threat is given by the petitioners.

In view of the above, the order dated 14.11.2022 is hereby made absolute. However, the petitioners shall continue to join investigation, if and so required by the Investigating Officer.

Disposed of.

August 17, 2023
sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No