

**208/2 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-54201-2022

Date of Decision: 21.02.2023

SUKHWINDER SINGH AND ORS ... PETITIONERS
VS.
STATE OF PUNJAB .. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. G.S.Sandhu, Advocate
 for the petitioners.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J.(ORAL)

On 22.11.2022, the following order was passed:-

“Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No.076 dated 12.09.2022 registered under Sections 457, 323, 506, 427, 148, 149 IPC at Police Station Bariwala, District Sri Muktsar Sahib.

Counsel for the petitioners has argued that the petitioners were initially granted interim bail by the Additional Sessions Judge on 29.09.2022, however, on 21.10.2022, the same was dismissed on the premise that the petitioners are pressurizing the complainant to compromise the case. It is further submitted that the co-accused of the petitioner namely Jaskaran Singh, has been granted the concession of anticipatory bail vide order dated 18.11.2022 passed in CRM-M No.53536 of 2022, as he has stated that he is ready to compensate the victim by paying Rs.15,000/- without prejudice to his right of defence.

Notice of motion.

Mr. Navneet Singh, DAG, Punjab who is present in the Court accepts notice on behalf of the respondent – State.

Counsel for the petitioners is directed to supply a copy of paperbook to counsel opposite during course of the day.

List again on 21.02.2023.

In the meantime, the petitioners are directed to appear before the Investigating Officer within a period of 10 days from today to join the investigation and they shall be released on interim bail on furnishing bail/surety bonds subject to the following conditions:-

1. They shall make themselves available for

interrogation by a police officer as and when required;

2. They shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and

3. They shall not leave India without previous permission of the Court.

The petitioners are also directed to handover a demand draft of Rs.15,000/- each favouring the victim/complainant at the time of furnishing bail/surety bonds towards the medical expenses, without prejudice to their right of defence, to the Investigating Officer, who will further hand over the same to the victim/complainant.

To be heard along with CRM-M No.53536 of 2022.”

Learned counsel for the petitioners contend that in pursuance of interim directions issued by this Court, the petitioners have joined the investigation and have also handed over the demand draft of Rs.15,000/- favouring the victim/injured.

Learned State counsel has not disputed the aforesaid factual aspects and further submits that custodial interrogation of the petitioners is not required.

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 22.11.2022, vide which the petitioners have been granted interim bail, is made absolute.

Petition is allowed.

21.02.2023
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(VIVEK PURI)
JUDGE

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