

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

CRM-M-53554-2023

Date of Decision: 04.12.2023

HARPREET SINGH AND ANR

...Petitioners

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Narender Singh Kamboj, Advocate for the petitioners.

Mr. Mohit Kapoor, Addl. AG, Punjab.

MANJARI NEHRU KAUL, J. (Oral)

The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.72 dated 25.08.2023 under Sections 325, 323, 34 of the Indian Penal Code, 1860, (Section 308 IPC added later on) registered at Police Station Hathur, District Ludhiana Rural.

2. Learned counsel for the petitioners contends that as per the allegations both the petitioners threw brick bats towards house of the complainant on the fateful day. He further submits that no specific role much less any injury has been attributed to the petitioners inviting the mischief of Section 325 IPC. It has been further submitted that in compliance of the order dated 20.10.2023, the petitioners have joined investigation and cooperated with the investigating agency.

3. Reply by way of affidavit of Deputy Superintendent of Police, Raikot, District Ludhiana (Rural) on behalf of respondent/State filed in Court is taken on record. Learned State counsel does not dispute the factum of the petitioners having joined investigation and cooperated with the investigating agency. He, on further instructions submits that the petitioners are not required for further investigation much less for their custodial interrogation.

4. In view of the above, the petition is allowed and interim order dated 20.10.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioners misuses the concession of bail granted to them, the State would be at liberty to seek cancellation of the bail granted to them.

(MANJARI NEHRU KAUL)
(JUDGE)

04.12.2023
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No