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

CRM-M-61140-2022
Date of Decision: 16.03.2023

Manjit Singh and another

....Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Ms. Amandeep Kaur, Advocate for
Mr. Subhash Kumar, Advocate for
for the petitioners.

Mr. Subhash Godara, Addl. AG, Punjab.

HARSH BUNGER, J. (Oral)

Prayer in the present petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail in case FIR No.142 dated 01.12.2022, under Sections 353, 186 and 34 of the Indian Penal Code, registered at Police Station Division No.4, Police Commissionerate Jalandhar.

On 02.01.2023 the following order was passed by a co-ordinate Bench of this Court :-

“Learned counsel for the petitioners contends that the petitioners have been falsely implicated and the FIR was registered with the delay of 04 days as the alleged incident took place on 27.11.2022 whereas the complaint was made on 01.12.2022. He further submits that co-accused Gurpreet Singh @ Gopi and Guriqbal Singh @ Gora have already been granted regular bail by the trial Court. Learned counsel

submits that the petitioners are willing to join investigation and their custodial interrogation is not required.

Notice of motion for 07.03.2023.

On the asking of the Court, Mr. Inderpreet Singh Kang, AAG, Punjab appears and accepts notice on behalf of the State.

In the meantime, in the event of arrest, the petitioners shall be released on interim bail subject to their furnishing bonds to the satisfaction of Arresting/Investigating Officer. However, they shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C. failing which they shall lose the benefit of interim bail allowed to them.”

Learned counsel for the petitioners submits that pursuant to the aforesaid order, the petitioners have joined the investigation.

Learned State counsel on instructions from ASI Sucha Singh has not disputed the aforesaid fact of joining of investigation by the petitioners and submits that their custodial interrogation is not required at this stage.

Heard learned counsel for the parties.

Since the petitioners have joined the investigation and their custodial interrogation is not required at this stage, the present petition is allowed and the ad-interim order dated 02.01.2023 passed by the Co-ordinate Bench of this Court is made absolute.

However, the petitioners shall continue to join the investigation as and when required to do so and abide by all the conditions laid down under Section 438(2) Cr.P.C.

It is made clear that if the petitioners fail to comply with any of the bail conditions laid down under Section 438(2) Cr.P.C, the State would be at liberty to move an application for cancellation of this anticipatory bail granted to the petitioners.

Nothing expressed here-in-above shall be construed to be an observation on merits of the case and the facts and circumstances recorded

above are only for consideration of the prayer for anticipatory bail at this stage.

The petition is accordingly disposed of.

16.03.2023
Himani

(HARSH BUNGER)
JUDGE

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