

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-59805-2023
Date of decision: 15.12.2023

Narinder Singh @ Netar Singh and othersPetitioners.

Versus

State of PunjabRespondent.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Sandeep Kumar Bokolia, Advocate,
for the petitioners.

Mr. Anmol Singh Sandhu, AAG, Punjab.

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SANJIV BERRY, J. (ORAL)

1. Short reply dated 14.12.2023, filed in the form of affidavit of Deputy Superintendent of Police, Baghapurana, District Moga, on behalf of respondent-State is taken on record. Copy thereof supplied to the other side as well.
2. By way of present petition filed under Section 438 Cr.P.C, the petitioners seek anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
194	22.10.2023	452, 324, 323, 148 and 149 IPC	P.S. Baghapurana, District Moga.

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3. After addressing arguments at some length, learned counsel for the petitioners, restricts this petition qua petitioner No. 2, namely Babla @ Jasvir Singh regarding grant of anticipatory bail in the aforesaid FIR.

4. Learned counsel for the petitioners prays for withdrawal of the instant petition, qua petitioners No. 1, 3 and 4, namely Narinder Singh @ Netar Singh, Harman Singh @ Niranjan Singh and Noni @ Kamaljit Singh with the liberty that they will surrender before the Trial Court and move an appropriate application for bail, which may be considered and disposed of in an expeditious manner in accordance with the law.

5. In view of above, instant petition stands dismissed as withdrawn qua petitioners No. 1, 3 and 4, namely Narinder Singh @ Netar Singh; Harman Singh @ Niranjan Singh and Noni@ Kamaljit Singh with the aforesaid liberty.

6. Learned counsel for petitioners contends that petitioner No. 2 is ready to join investigation.

7. After considering the aforesaid submissions, instant petition is allowed only qua the petitioner No. 2, who is directed to join investigation within 07 days from today in the event of his arrest, he is ordered to be released on bail on his furnishing personal/surety

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bonds to the satisfaction of the Trial Court. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.

8. Further the petitioner No. 2 is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

9. The petition stands allowed only qua the petitioner No. 2. The petition qua the petitioners No. 1, 3 and 4 stand dismissed as withdrawn with liberty as prayed for.

10. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

15.12.2023
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(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |