



CRM-M-4665-2024 (O&M)

- 1 -

216/1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4665-2024 (O&M)
DATE OF DECISION : 13.05.2024

RAJINDER SINGH AND ANOTHER ... PETITIONERS
V/S
STATE OF PUNJAB ... RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Amit Arora, Advocate for the petitioners.
Ms. Sakshi Bakshi, AAG, Punjab.

* * * *

HARPREET KAUR JEEWAN, J. (ORAL)

1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in a cross case registered vide DDR No.54 dated 2.11.2023 under Sections 354-A, 324, 323, 148, 149, 506 IPC (offence under Section 326 IPC added later on) in case FIR No.141 dated 25.10.2023 registered at Police Station Division No.2, Pathankot, under Sections 307/34 IPC and Sections 25/27 Arms Act.

2. On 20.02.2024 following order was passed:

“xxxx Learned counsel for the petitioner contends that main FIR was registered at the instance of the petitioner, however, he has been named as an accused in the cross version. Petitioner has himself received injuries from the hands of Sudhir Mahajan and Harsh Mahajan.

Learned State counsel confirms the fact that it is a case of version and cross version. FIR has been registered at the instance of the petitioner. State counsel has also confirmed that petitioner has himself sustained injuries qua which FIR No.141 dated 25.10.2023 is registered at Police Station Division No.2, Pathankot, under Sections 307/34 IPC and Sections 25/27 Arms Act against the complainant and his co-accused.

Adjourned to 22.04.2024.

In the meanwhile, the petitioner is directed to join investigation within one week and in the event of arrest, he shall be released on interim bail, on his furnishing adequate bail and surety



CRM-M-4665-2024 (O&M)

- 2 -

bonds to the satisfaction of the arresting officer/Ilaqa Magistrate, subject to the following conditions:-

(i) the petitioner shall make himself available for interrogation by a police officer as and when required.

(ii) That the petitioner 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.

(iii) That the petitioner shall not leave India without the prior permission of the Trial Court/CJM concerned. ”

3. Learned counsel for the petitioners contends that the petitioners have joined the investigation in compliance of the order passed by this Court.

4. Learned State counsel, on instructions from ASI Balwinder Kumar, has also confirmed that the petitioners have joined investigation. State counsel further informs that custodial interrogation of the petitioners is not required.

5. In view of the aforesaid facts and the reasons recorded in the order dated 20.02.2024 and keeping in view the fact that the petitioners have joined investigation, their custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 20.02.2024 granting interim bail to the petitioners is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

6. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

13.05.2024

Janki

(HARPREET KAUR JEEWAN)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No