

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214-2&3

Date of decision : 15.04.2024

1. CRM-M-6670-2024

Jaskaran Singh and another Petitioners

versus

State of Punjab Respondent

2. CRM-M-8498-2024

Sandeep Singh @ Soni Singh Petitioner

versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

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

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

Mr. L.S. Sekhon, Advocate
for the complainant.

PANKAJ JAIN, J. (Oral)

1. While issuing notice of motion on 08.02.2024, following
order was passed:-

“On the oral request of learned counsel for the
petitioners Section 325 IPC is ordered to be added in
the head note as well as in the prayer clause.

Registry is directed to do the needful.

Apprehending their arrest in FIR No.3 dated
12.01.2024, registered under Sections
325/341/323/324/506/427/34 IPC & Section 307 IPC
added later on at Police Station Sadar Dhuri, District

Sangrur, petitioner seeks pre-arrest bail.

Learned counsel for the petitioners relies upon order dated 01.02.2024 passed in **CRM-M-5203 of 2024** whereby co-accused namely Gurpreet Singh @ Gopi has been granted the benefit of pre-arrest bail.

Notice of motion.

Mr. Arun Gupta, AAG, Punjab appears and accepts notice on behalf of the respondent-State and seeks time to file reply.

Mr. P.S.Sekhon, Advocate accepts notice on behalf of the complainant and opposes the bail with eloquence submitting that petitioner No.1 has given iron rod blows on the body of the victim which has led to permanent disability.

Learned counsel for the petitioners prays for time to place on record the MLR.

To be heard along with **CRM-M-5203 of 2024** on 15.04.2024.

In the meantime, in the event of arrest, the petitioners shall be released on interim bail subject to their furnishing personal and surety bonds to the satisfaction of the arresting officer/Investigating Officer. As and when called, the petitioners shall join the investigation. They shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C. ”

2. Today, learned State counsel, on instructions from ASI Suresh Kumar, has stated that pursuant to the order dated 08.02.2024, the petitioners have joined investigation and are no longer required for custodial interrogation.

3. Mr. Sekhon, Advocate appearing for the complainant however eloquently opposes the bail plea submitting that there are serious allegations against the petitioners of having inflicted injuries upon the complainant party with an intent to kill them. However, he is

not in a position to dispute that the injuries attributed to the petitioners are simple in nature.

4. In view of above, the interim order dated 08.02.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

5. This order should not be treated as "blanket" order. It will not be read granting petitioners indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

6. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency, to investigate into the charges against the petitioners.

7. The petitioners shall be deemed to be in custody for the purpose of Section 27 of the Evidence Act, 1872 in regard to a discovery of facts made in pursuance of information supplied by the petitioners in case the occasion arises.

8. It will be open to the police or the investigating agency to move this court for a direction under Section 439 (2) Cr.P.C. to arrest the accused, in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.

9. Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

10. Disposed off accordingly.

11. A photocopy of this order be placed on the files of other connected cases.

(PANKAJ JAIN)
JUDGE

15.04.2024
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No