

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

208

**CRM-M-10954-2024**

**Date of decision: 02.04.2024**

**LAKHWINDER SINGH AND ORS**  
V/s

**....PETITIONERS**

**STATE OF PUNJAB**

....RESPONDENT

**CORAM: HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Sandeep Godara, Advocate for  
Mr. Ajay Pal Rehan, Advocate  
for the petitioners.

Mr. Anup Singh, AAG, Punjab.

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**SUMEET GOEL, J.**

1. Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case bearing FIR No.73 dated 22.05.2023, registered for the offences punishable under Sections 452, 323, 354, 148 & 149 of IPC at Police Station Shri Hargobindpur, Police District Batala, District Gurdaspur.

2. On 01.03.2024, the following order was passed:-

*“Apprehending their arrest in FIR No. 73 dated 22.05.2023 registered for offences punishable under Sections 452,323,354,148,149 IPC at Police Station Shri Hargobindpur, District Batala; the petitioners have preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.*

*Inter alia contends that the case in hand is of version and cross version; the dispute arose between the parties on account of a drain & the petitioners are willing to join investigation and cooperate therein.*

*Notice of motion.*

*On asking of the Court, Mr. Adhiraj Singh, AAG, Punjab appears and accepts notice on behalf of the respondent-State.*

*Adjourned to 02.04.2024.*

*The petitioners are directed to appear before the Investigating Officer on 07.03.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioners shall be released on interim bail subject to their furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioners shall join the investigation. They shall abide by the*

*condition(s) enumerated under Section 438(2) of the Cr.P.C.”*

3. Learned State counsel, on instructions from ASI Tarlok Singh, has stated that pursuant to the order dated 01.03.2024, the petitioners have joined investigation and are no longer required for custodial interrogation.
4. In view of above, the present petition is allowed and interim order dated 01.03.2024 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. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioners violates any condition stipulated under Section 438(2) Cr.P.C., 1973 or upon showing any other sufficient cause.
7. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
8. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)  
JUDGE

April 02, 2024  
*jatin*

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