

215 **IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM M-11991-2024 (O&M)
Date of Decision: 02.04.2024

Surinder Ram and another

..... Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Aditya Anand, Advocate,
for the petitioners.

Ms. Manjot Kaur, AAG, Punjab.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short “Cr.P.C”) for seeking pre-arrest bail in FIR No.203 dated 23.11.2023 registered under Sections 341, 323 & 148 read with Section 149 IPC, at Police Station, City Malout, District District Sri Muktsar Sahib and DDR No.44 dated 05.12.2023 vide which offence under Section 307 IPC was added later on.

2. Allegations are that petitioners along with co-accused formed and unlawful assembly and in furtherance of common object of said assembly caused injuries to informant Gurnam Singh and his nephew Bhinder Singh.

3. This Court vide order dated 07.03.2024, granted interim bail to petitioners and the same reads as under:-

“Contends, inter alia, that the matter has been amicably settled between the parties i.e. the petitioners as well as complainant side.

Notice of motion.

Mr. Neeraj Madaan, Sr. DAG, Punjab accepts notice on behalf of respondent-State and seeks time to verify the above factual position.

Posted for 02.04.2024.

To be listed along with CRM-M-9571-2024.

In the meanwhile, both the petitioners will join investigation before the Investigating Officer. In the event of their arrest, the Arresting Officer would admit them to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioners shall also abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

4. Learned counsel on instructions from petitioners submits that in pursuance of the aforesaid order, they have joined investigation, therefore, their custodial interrogation is not required.
5. The above factual position is duly acknowledged by learned State Counsel, on instructions from quarter concerned and fairly submitted that custodial interrogation of petitioners is not required, at this stage.
6. In view of the above, interim order dated 07.03.2024 is made absolute, subject to the conditions as envisaged under Section 438(2) Cr.P.C.
7. It is also made clear that petitioners shall fully co-operate with the Investigating Officer as and when called for further investigation.
8. The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
9. Disposed off accordingly.
10. Pending criminal misc. application(s), if any, shall also stand disposed off.

02.04.2024
SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No