

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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1. CRM-M-13704-2021
Date of decision: 09.01.2024

Harbaksh SinghPetitioner

Versus

State of PunjabRespondent

2. CRM-M-16673-2021
Date of decision: 09.01.2024

Jatinder Singh alias KudhPetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Onkar Singh, Advocate and
Mr. Vishal Sharma (Vasudeva), Advocate
for the petitioners.

Mr. Arun Luthra, DAG, Punjab.

Mr. Vipin Mahajan, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioners are seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.23 dated 03.03.2021 under Sections 379, 420, 506, 34 of the Indian Penal Code, 1860, registered at Police Station Sadar Pathankot, District Pathankot.

2. Learned counsel for the petitioners submit that in compliance of orders dated 12.05.2022 and 16.04.2021, the petitioners had joined investigation and cooperated with the investigating agency.

3. The submissions made by learned counsel for the

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petitioners have not been disputed by the learned State counsel who, on instructions from ASI Balwinder Kumar, has informed the Court that the petitioners are no longer required for further investigation much less for their custodial interrogation.

4. Learned counsel for the complainant has, however, opposed the prayer made for extending the concession of anticipatory bail to the petitioners by highlighting the allegations which stand reflected against them for having been given wrong dimensions of the plot in question, qua which a civil litigation is already pending between the parties. It has also been submitted that two other criminal cases containing similar allegations are already pending against the petitioners.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. In the facts and circumstances, once the petitioners have joined investigation and cooperated with the investigating agency and as stated by learned State counsel that they are not required for further investigation, this Court deems it fit to extend the extraordinary concession of anticipatory bail to the petitioners.

7. Accordingly, the petitions are allowed and interim orders dated 12.05.2022 and 16.04.2021, are made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

09.01.2024

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(MANJARI NEHRU KAUL)
JUDGE

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