



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

203

CRM-M-14934-2024
Date of decision: May 17th, 2024

Bunty Pehalwan @ Niraj Kumar and others
.....Petitioners

Versus

The State of Punjab
.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Harpreet Singh Rakhra, Advocate
for the petitioners.

Mr. Navdeep Singh, Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition has been filed under Section 438 of the Cr.P.C for grant of anticipatory bail to the petitioners in FIR No.30 dated 10.03.2023 registered under Sections 452, 427, 380, 506, 148, 149 of the IPC at Police Station Division-E, District Amritsar.

2. Vide order dated 21.03.2024, the petitioners had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel appearing for the petitioners inter alia contends that it is a case where son of petitioner No.3 was given injuries regarding which FIR No.53 dated 19.03.2023 under Sections 323, 324, 427, 148, 149 IPC was registered at Police Station Civil Lines, Amritsar (Annexure P-5) and as a counter-blast, FIR (supra) was lodged. All petitioners are close relatives of the injured in FIR No.53 dated 19.03.2023 i.e. Hitesh and Ridham. No specific injury has been attributed to each of the petitioners and

*offence under Section 380 IPC has already been deleted by the investigating agency. The maximum punishment provided for the offence alleged to be committed in the FIR (supra) is upto 7 years and no notice under Section 41-A Cr.P.C. was served upon the petitioners. As such, in view of the ratio of law culled out in the judgment rendered by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51**, the petitioners are entitled for bail."*

3. Learned counsel for the petitioners submits that in compliance of order dated 21.03.2024, the petitioners have joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from HC Manjit Singh, does not dispute the factum of the petitioners having joined investigation and cooperated with the investigating agency. He on further instructions submits that the petitioners are not required for further investigation much less for their custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 21.03.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

May 17th, 2024

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No