

No.1, FIR (supra) was registered against the complainant in cross-case, which was registered vide GD (supra), arising out of same occurrence. It is further contended that it is a case of version and cross-version and accused in the FIR (supra), namely, Major Singh has already approached this Court by way of filing CRM-M-16582-2024 and he has been granted interim anticipatory bail by this Court vide order dated 5.04.2024.

Notice of motion for 03.05.2024.

To be heard along with CRM-M-16582-2024.

*Keeping in view the ratio of law enunciated by Hon'ble Supreme Court in **Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273, Arnab Manoranjan Goswami Vs. State of Maharashtra, (2021) 2 SCC 427, Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and ors., 2010 SCC OnLine SC 137 and Shri Gurbaksh Singh Sibbia Vs. State of Punjab (1980) 2 SCC 565**, the petitioners are directed to appear before Investigation Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, the petitioners will be admitted to interim bail on furnishing of bail/surety bonds to the satisfaction of investigating/arresting officer and the petitioners shall co-operate with the investigation.*

If the arresting officer does not permit the petitioners to join the investigation, they would appear before the learned Illaqa Magistrate, who would then summon the arresting officer and direct him to join the petitioners in the investigation in terms of the order of this Court.

Nothing observed hereinabove shall be construed as expression of opinion by this Court and the trial Court shall decide the same on its own merits strictly in accordance with law.'

Learned State counsel on instructions from ASI Harjinder Singh, at the very outset informs the Court that the petitioners have joined the investigation and their custodial interrogation is not required.

In view of the statement of learned State counsel, order dated 10.04.2024 is hereby made absolute. The petitioners shall abide by the terms and conditions envisaged under Section 438(2) Cr.P.C.

The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

03.05.2024
Neha

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