

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.25922 of 2023

Date of decision: 2nd May, 2024

Atul Kumar & another

... Petitioners

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ashok Kumar, Advocate for
Mr. L.M. Gulati, Advocate for the petitioners.

Mr. Navdeep Singh, Dy. Advocate General, Punjab
for the respondent/State.

Mr. Satwinder Singh, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioners are seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.0072 dated 19.3.2023 under sections 341, 427, 148, 149, 307 IPC and sections 25, 27 of Arms Act, registered at Police Station, Sadar Amritsar, District Amritsar.

2. On 02.08.2023, this Court had granted the concession of interim bail to the petitioners and asked them to join investigation on the basis of following submissions made by learned counsel for the petitioners on 22.05.2023:

“Learned counsel for the petitioners has contended that petitioners have been falsely implicated in the present case. It is submitted that though allegations are there against the petitioners, however, both the parties have

amicably resolved the dispute which had taken place on the spur of moment. Counsel submits that co-accused has already been granted anticipatory bail by this court. It is submitted that petitioners have no criminal antecedents as they have never been involved in any other criminal offence.”

3. Learned counsel for the petitioners submits that in compliance of the order dated 02.08.2023, the petitioners have joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from SI Amarjit 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 the circumstances, the petition is allowed and the interim order dated 02.08.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioners misuses the concession of bail granted to them, the State would be at liberty to seek cancellation of the bail granted to them.

(MANJARI NEHRU KAUL)
JUDGE

May 2, 2024
rps

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