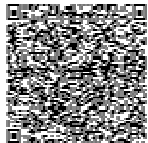


2024:PHHC:099174



IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

211

CRM-M-30035-2024 (O&M)
Date of decision: 02.08.2024

Davinder Singh and others ...Petitioners

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Davinder Lubana, Advocate
for the petitioners.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

Mr. M. S. Saini, Advocate
for respondent No. 2.

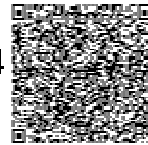
Mr. Narinder Singh, DSP, Sub-Divisional Rural, Hoshiarpur.

MANISHA BATRA, J. (Oral)

- Through the instant petition, filed under Section 438 of Code of Criminal Procedure, 1973, the petitioners seek anticipatory bail in case FIR No. 27, dated 15.03.2024, under Sections 323, 324, 148, 149 and 506 of IPC (Sections 307, 326 IPC added later on) at Police Station Bullowal, District Hoshiarpur.
- Vide order dated 18.06.2024, passed by this Court, the petitioners were released on interim bail and were directed to join investigation. Order dated 18.06.2024, passed by this Court, reads as under:

“...Learned counsel for the petitioners has contended that the main injury falling under Section 326 IPC is attributed to Jaskaran Singh. He has further contended that as per the allegations, petitioner No.1 - Davinder Singh just gave beatings and only lalkara has

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been attributed to petitioner No.2. No specific injury has been attributed to petitioner No.3 also. He has also referred to the medical opinion regarding injury on the person of complainant Satinderpal and as per which injury No.1 was declared not dangerous to life.

Learned counsel for the petitioners has further submitted that the petitioners are ready and willing to join the investigation.

On the other hand, learned counsel for the complainant has opposed the bail application by contending that the serious injury was inflicted on the person of the complainant on his head which could have been dangerous to life.

Notice of motion.

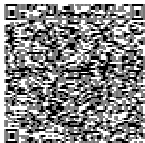
Mr. Malkiat Singh, DAG, Punjab accepts notice on behalf of respondent-State and seeks time for filing of the status report.

Adjourned to 03.07.2024.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438(2) Cr.P.C. ”

3. Learned State counsel, assisted by learned counsel for respondent No. 2, on instructions from the Investigating Officer, has submitted that the petitioners have joined investigation on 27.05.2024 and they are not required for custodial interrogation.
4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed

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and the order dated 18.06.2024, granting interim bail to the petitioners, is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

5. In compliance with previous order, Mr. Narinder Singh, DSP, Sub-Divisional Rural, Hoshiarpur is present before this Court in person and has tendered his unconditional apology, which is accepted by this Court.

02.08.2024
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No