

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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1. CRM-M-45758-2023
Date of decision: 22.02.2024

Kulwant Singh @ Katto @ Katto PardhanPetitioner

Versus

State of PunjabRespondent

2. CRM-M-45922-2023
Date of decision: 22.02.2024

Bikram Singh @ Bikramjit SinghPetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sourav Sharma, Advocate for
Mr. Gobind Singh Randhawa, Advocate
for the petitioners.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioners is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.093 dated 21.05.2023 under Sections 307, 353, 186, 332, 342, 148, 149, 506 of the IPC registered at Police Station Beas, Police District Amritsar (Rural) and District Amritsar.

2. On 14.09.2023, learned counsel for the petitioners had made the following submissions:-

“While referring to the allegations levelled in FIR, Annexure P-1, counsel for the petitioner contends that offence under Section 307, IPC, is not made out. He submits that the allegation against Kulwant Singh @ Katto @ Katto Pardhan, petitioner in CRM-M-45758-2023, is of

inciting the unlawful assembly and his son – Bikram Singh @ Bikramjit Singh, petitioner in CRM-M-45922-2023, is accused of hitting a Head Constable with a stick.”

3. Thereafter, on 09.01.2024, while noticing the following submissions made by the learned State counsel, this Court had granted the concession of interim bail to the petitioners and asked them to join investigation:-

“On a pointed query put to the learned State counsel as to the number of injuries as well as the nature of injuries received by three police officials i.e. ASI Bachan Singh, ASI Harjit Singh and ASI Hardeep Singh, he, on instructions from ASI Balwinder Singh with Constable Jagpreet Singh, has informed the Court that all the three had sustained simple injuries;…….”

4. Learned counsel for the petitioners submits that in compliance of order dated 09.01.2024, the petitioners have joined investigation and cooperated with the investigating agency.

5. Learned State counsel, on instructions from ASI Balwinder 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.

6. In view of the above, both the petitions are allowed and interim order dated 09.01.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

22.02.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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