

CRM-M-48645-2023 (O&M) 2024:PHHC: 063659 - 1 -

205/2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48645-2023 (O&M)
DATE OF DECISION : 07.05.2024

KULWANT SINGH @ KATTO @ KATTO PARDHAN & ANOTHER
... PETITIONERS

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

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

Ms. Himani Arora, A.A.G., Punjab.

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HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No.092 dated 21.05.2023 under Sections 452/323/354/506/148/149 IPC registered at Police Station Beas, Police District Amritsar (Rural), District Amritsar.

2. On 06.10.2023 following order was passed:

“xxxx Learned counsel for the petitioners contend that the petitioners have been falsely implicated in the instant case. The allegations against petitioner No.1 are to the effect that he had outraged the modesty of the complainant and allegations qua petitioner No.2 are to the effect that he had inflicted injuries on the person of Jaspal Singh. It has been submitted that Jaspal Singh had furnished an affidavit, Annexure P-2, indicating false implication of the petitioners. Furthermore, subsequently, another FIR bearing No.093 dated 21.05.2023 under Sections 307/353/186/332/342/148/149/506 IPC has been registered at Police Station Beas, Police District Amritsar (Rural), District Amritsar, wherein, the arrest of the petitioners has been stayed.

3. Notice of motion.

4. Mr. Digvijay Nagpal, AAG, Punjab, accepts notice on behalf of the respondent-State and seeks adjournment to submit the reply in the matter.

5. Adjourned to 20.12.2023.

6. In the meanwhile, the petitioners are directed to join

investigation and in the event of their arrest, they shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

3. Learned counsel for the petitioners contends that the petitioners have joined the investigation in compliance of the order passed by the Coordinate Bench of this Court.

4. Learned State counsel, on Instructions from ASI Balwinder Singh, has also confirmed that the petitioners have joined investigation. State counsel further informs that custodial interrogation of the petitioners is not required.

5. In view of the aforesaid facts and the reasons recorded in the order dated 06.10.2023 and keeping in view the fact that the petitioners have joined investigation, their custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 06.10.2023 granting interim bail to the petitioners is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

6. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

07.05.2024

Janki

(HARPREET KAUR JEEWAN)
JUDGE

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