

211 **IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM M-58187-2023 (O&M)
Date of Decision: 16.01.2024

Dimple Ghuliani @ Gaganpreet Singh and another

..... Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Jasjit Singh, Advocate,
for the petitioners.

Mr. M.S. Tiwana, AAG, Punjab
assisted by ASI Gurmej Singh.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short “Cr.P.C”) for grant of pre-arrest bail to the petitioners in FIR No.179 dated 11.10.2023, under Sections 341, 382, 506 & 148 read with Section 149 IPC at Police Station, City Kotkapura, District Faridkot.

2. Allegations in brief are that petitioners along with co-accused Lakhjit Singh and Surinder Singh caused injuries to complainant Harmanpreet Singh on 11.10.2023 and tried to take away three tractors and one truck loaded with paddy.

3. This Court vide order dated 21.11.2023, granted interim bail to petitioners and the same reads as under:-

“Learned State counsel seeks some more time to have instructions and/or file written response in the matter.

Posted for 16.01.2024.

In the meanwhile, petitioners shall join investigation before the Investigating Officer. In the event of their arrest, the

Arresting Officer would admit them to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioners shall also abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

4. Learned counsel on instructions from petitioners submits that in pursuance of the aforesaid order, both have joined investigation and their custodial interrogation is not required.

5. The above factual position is duly acknowledged by learned State Counsel, on instructions from quarter concerned and fairly submitted that custodial interrogation of the petitioners is not required, at this stage.

6. In view of above, interim order dated 21.11.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

7. It is also made clear that petitioners shall fully co-operate with the Investigating Officer as and when called for further investigation.

8. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

9. Disposed off accordingly.

10. Pending criminal misc. application(s), if any, shall also stand disposed off.

16.01.2024
SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No