

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1. CRM-M No.58987 of 2023

Swarnjeet Singh @ Manni

... Petitioner

Versus

State of Punjab

... Respondent

2. CRM-M No.61073 of 2023

Gursewak Singh @ Sewak Singh

... Petitioner

Versus

State of Punjab

... Respondent

Date of decision: 7th February, 2024

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mrs. Anupam Bhanot & Mr. Mandeep K. Dhot,
Advocates for the petitioners.

Mr. Arun Luthra, Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioners in both the petitions detailed hereinabove are seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.11 dated 04.03.2023 for the offences under Sections 341, 323, 324, 148, 149 IPC (Sections 307, 326 IPC added later on) registered at Police Station Sherpur, District Sangrur.

2. On 07.12.2023, while noticing the following submissions made by learned counsel for the petitioners, 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 which injury has been opined to be dangerous to life, inviting the mischief of Section 307 IPC, he on instructions from ASI Gurtej Singh, has informed the Court that no injury had been so opined. However, he submits that all the accused including the petitioners had inflicted injuries on the fingers of injured/complainant, inviting the mischief of offence punishable under Section 326 of the IPC. It has also been submitted that petitioner Swarnjeet Singh alias Manni had been nominated as an accused on the basis of a disclosure statement suffered by co-accused Sukhdev Singh. On a further query put to the learned State counsel, he on instructions, has submitted that other than their presence being shown with the co-accused at the time of alleged occurrence, no specific injury much less with any weapon had been attributed to petitioner Swarnjeet Singh alias Manni.”

3. Learned counsel for the petitioners submit that in compliance of the order dated 07.12.2023, the petitioners have joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, 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, both the petitions are allowed and the interim order dated 07.12.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioners misuse 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

February 7, 2024
rps

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