



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.59298 of 2023
Date of decision: 10th May, 2024

Dine & another
... Petitioners
Versus
State of Punjab
... Respondent

CORAM: HON’BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Rajneesh K. Shelly, Advocate for the petitioners.
Mr. Amit Rana, Sr. Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioners are seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.125 dated 23.09.2023 for the offences under Sections 326, 324, 34 of the IPC registered at Police Station Raja Sansi, District Amritsar.
2. On the last date of hearing, i.e. 24.11.2023, 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.

“Learned counsel inter alia contends that other than presence of the petitioners being shown at the place or occurrence, no injury much less inviting the mischief of Section 326 IPC had been attributed to them. On a pointed query put to the learned counsel for the petitioners, it has been submitted that the injury inviting the mischief of Section 326 IPC has been attributed to co-accused Rana, who was armed with a Datar. On further query, learned

counsel has submitted that both the petitioners have clean antecedents as they are not involved in any other criminal case.”

3. Learned counsel for the petitioners submits that in compliance of the order dated 24.11.2023, the petitioners have joined investigation and cooperated with the investigating agency. He further submits that the matter has since been amicably settled between the parties and a petition under Section 482 of the Cr.P.C. has also been filed for quashing of the FIR in question on the basis of compromise so affected.

4. Learned State counsel, on instructions from ASI Subhash Chander, 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, the petition is allowed and the interim order dated 24.11.2023 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

May 10, 2024
rps

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