

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.59851 of 2023

Date of decision: 4th April, 2024

Vijay & others

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: None 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 DDR No.24 dated 06.08.2023 under Sections 326, 336, 427, 324, 323, 160, 452, 148, 149 of the IPC as well as in FIR No.113 dated 12.07.2023 under Sections 160, 336, 427, 148, 149, 506 of the IPC registered at Police Station Majitha, District Amritsar.

2. On 30.11.2023, 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 for the petitioners while drawing the attention of this Court to the allegations levelled in the DDR which has been annexed as Annexure P-2 inter alia contends that though it has been alleged therein that the

petitioners were armed with datar, however, injuries attributed to them were simple in nature. It has also been submitted that it is a case of version and cross version wherein both the sides have received injuries at the hands of each other. It has been further submitted that the injury inviting the mischief of Section 326 of the IPC has been attributed to co-accused William Masih on the little finger of the left hand. He further submits that the petitioners are ready to join investigation and cooperate with the investigating agency.”

3. Learned State counsel, on instructions from ASI Bikramjeet Singh, submits that in compliance of the order dated 30.11.2023, the petitioners have 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.

4. In the circumstances, the petition is allowed and the interim order dated 30.11.2023 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

April 4, 2024
rps

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