

Sr. No.211

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-59927-2023
Date of decision: 14th March, 2024**

AMARJIT SINGH AND OTHERS**Petitioners**

versus

STATE OF PUNJAB**Respondent**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Narinder S. Lucky, Advocate
for the petitioner.

Mr. Ramandeep Singh, Sr. DAG, Punjab.

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.0097 dated 29.09.2023, under Sections 323, 427, 506, 379-B, 148, 149 IPC, 1860 and Sections 25, 27 of Arms Act, 1959, registered at Police Station Mehatpur, District Jalandhar Rural (Annexure P-1).
2. Learned counsel for the petitioners submits that the petitioners were granted interim bail as per the order dated 22.12.2023, passed by the Coordinate Bench of this Court. The relevant portion of the said order reads as under:-

“xxx xxx xxx xxx

On being put to notice, learned State counsel on instructions from ASI Dwarka Dass, has not disputed that it is a case of version and cross-version wherein both the sides received injuries at the hands of each other. It has further been submitted that all the petitioners barring Gurpreet Singh had been attributed simple injuries in the occurrence in question. Gurpreet Singh had been attributed injury inviting the mischief of Section 325 of the IPC.

Adjourned to 14.03.2024.

Meanwhile, the petitioners are directed to join the investigation and appear before the investigating agency as and when called upon to do so. In the event of their arrest, they shall be admitted to interim bail on their furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioners shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.

xxx xxx xxx xxx”

3. Learned counsel for the petitioners further submit that the petitioners have joined investigation in compliance of the aforesaid order dated 22.12.2023 passed by the Coordinate Bench of this Court.

4. Learned counsel appearing on behalf of the respondent-State on confirms that the petitioners have joined investigation and also contends that their further custodial interrogation is not required. It has been further informed that offence under Section 379-B was deleted later on and offence under Section 325 was added qua the simple injury on the nose of the complainant, however, there is no disfigurement of the face.

5. In view of the reasons recorded in the order dated 22.12.2023 and keeping in view the fact that the petitioners have joined investigation, their further custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 22.12.2023 passed by the Coordinate Bench of this Court, granting interim bail to the petitioners is made absolute, subject to the conditions laid down under 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.

7. Liberty is reserved in favour of the State/complainant to move for cancellation/recalling of the order in case the petitioner violates any condition

stipulated under Section 438 (2) Cr.P.C., or upon showing any other sufficient cause.

8. All the pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

14th March, 2024
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<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>