

2024: PHHC: 023421
207/1

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

CRM-M No.60689 of 2023
Date of decision: 20th February, 2024

Ashu & another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Surinder Sharma, Advocate for
Mr. Lovish Rattan, Advocate for the petitioners.

Mr. Amit Rana, Sr. Dy. Advocate General, Punjab
for the respondent/State.

Mr. Kushagra Mahajan, Advocate for the complainant.

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 and 149 IPC as well as in FIR No.113 dated 12.07.2023 under Sections 160, 336, 427, 148, 149 and 506 IPC registered at Police Station Majitha, District Amritsar.

2. On the last date of hearing, i.e. 04.12.2023, 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.

“Learned counsel for the petitioners, inter alia, contends that the petitioners allegedly attacked a water tank installed in the house of the complainant with a kirpan, as a result of which it was punctured at various places. While drawing the attention of this Court to the

DDR, which has been annexed as Annexure P-2, it has been further submitted that no injury much less on the person of the complainant had been attributed to them.”

3. Learned counsel for the petitioners submits that in compliance of the order dated 04.12.2023, the petitioners have joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Harwant, 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 04.12.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioners misuses 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 20, 2024
rps

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