

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

207

2024:PHHC:028609
CRM-M-61649-2023
Date of decision: February 29th, 2024

Jaswinder Singh @ Bittu and others
.....Petitioners

Versus

State of Punjab
.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Amandeep Saini, Advocate
for the petitioners.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioners are seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.127 dated 21.09.2022 under Sections 323, 324, 341, 148, 149 of the Indian Penal Code, 1860 (Section 326 IPC added subsequently), registered at Police Station Nurpur Bedi, District Rupnagar.

2. Vide order dated 07.12.2023, the petitioners had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the petitioners, inter alia, contends that the petitioners were not named in the FIR in question and came to be nominated after six months of the alleged occurrence and that too, on the disclosure statement of Lovepreet Singh, who has since been extended the concession of anticipatory bail by this Court vide order dated 15.05.2023 (Annexure P-3). It has also been submitted that injury inviting the mischief of Section 326 of the IPC has not been

attributed to the petitioners but has been attributed to co-accused Dev, who too is on interim bail.”

3. Learned counsel for the petitioners submits that in compliance of order dated 07.12.2023, the petitioners have joined investigation and cooperated with the investigating agency.
4. Learned State counsel, on instructions from ASI Daljeet Singh, 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 view of the above, the petition is allowed and interim order dated 07.12.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

February 29th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No