

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.64783 of 2023
Date of decision: 13th March, 2024

Ajju @ Ajay Kumar & others

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. K.S. Brar, Advocate for the petitioners.

Mr. Navdeep Singh, 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.117 dated 03.11.2023 under Sections 365, 341, 342, 323, 379-B, 506, 500, 148, 149 of the Indian Penal Code, 1860, registered at Police Station Bahawwala, District Fazilka.

2. On the last date of hearing, i.e. 21.12.2023, the petition was dismissed qua petitioners No.1 and 3; however, while noticing the following submissions made by learned counsel for the petitioners, this Court had granted the concession of interim bail to petitioner No.2 and asked him to join investigation.

“Learned counsel for the petitioners, inter alia, contends that as far as petitioner No.2-Vinod Kumar @ Khanna is concerned, he was allegedly armed with a stick, with which he assaulted the

injured-complainant; injuries attributed to the petitioners were merely some abrasions.”

3. Learned counsel for the petitioners submits that in compliance of the order dated 21.12.2023, the petitioner No.2 has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioner No.2 having joined investigation and cooperated with the investigating agency. He, on further instructions submits that the petitioner No.2 is not required for further investigation much less for his custodial interrogation.

5. In the circumstances, the petition is allowed and the interim order dated 21.12.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner No.2 misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

March 13, 2024
rps

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