
(2018) 10 P&H CK 0020

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous (M) No.-25492 Of 2018

Lakhwinder Singh and others

APPELLANT

Vs

State of Punjab

RESPONDENT

Date of Decision : 03-10-2018

Acts Referred:

Indian Penal Code, 1860 — Section 149, 186, 323, 353
Code of Criminal Procedure, 1973 — Section 438(2)

Citation : (2018) 10 P&H CK 0020

Hon'ble Judges : Arvind Singh Sangwan, J

Bench : Single Bench

Advocate : K.S. Brar, S.P.S. Sidhu, Sidakmeet Sandhu, Kamal Narula

Final Decision : Allowed

Judgement

Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No.4 dated 23.05.2018 under Sections 353, 186, 149 IPC, registered at

Police Station Arif Ke, District Ferozepur.

While granting interim anticipatory bail to the petitioners, following order was passed on 04.07.2018: -

Learned counsel for the petitioners submits that petitioner No.1 is an ex-Sarpanch and on the date when the FIR was registered at the instance of

Gurmail Singh, Panchayat Secretary, auction of the shamlat land of the village was scheduled to be held in the premises of Govt. Primary School.

While conducting the auction proceedings, petitioner No.1 objected to accept the amount in cash from Kashmir Singh and others, which created the

chaos and private persons started quarreling and thus auction could not be completed, as the petitioners and others have obstructed the govt. work.

Counsel for the petitioners further submits that the petitioners were only

agitating the matter that the payment should be made by cheque and not by cash and no official person was either injured or was given any threat from the side of the petitioners.

Learned State counsel, on instructions from ASI Mahal Singh and assisted by learned counsel for the complainant, submits that two DDRs were

registered on account of sustaining injuries to two persons and Section 323 IPC was also added. Other DDR was registered at the instance of

petitioner Lakhwinder Singh, on account of suffering injuries. Learned State counsel further submits that the petitioners be directed to join the

investigation.

List again on 03.10.2018.â??

Learned counsel for the petitioners submits that in pursuance of the aforesaid order, petitioners have joined the investigation and are not required for

any further investigation.

Learned State counsel, on instructions from ASI Mahal Singh, has not disputed the factual position and states that the petitioners are no more required

for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioners vide order dated 04.07.2018 is made absolute subject to the

conditions envisaged under Section 438 (2) Cr.P.C.