

CRM-M-19531-2015

Date of decision: July 30, 2015

JAGIR SINGH AND ORS

...Petitioners

versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. M.S. Sidhu, Advocate
for the petitioners.Mr. Deepak Garg, AAG, Punjab
for the respondent-State.Ms. Sushma Chopra, Advocate
for the complainant.JASPAL SINGH, J.(ORAL)

The present petition has been preferred by Jagir Singh, Rachhpal Singh, Harvinder Singh, Gurcharan Singh, Jatinder Singh, Lal Singh and Buta Singh-petitioners, under Section 438 of the Code of Criminal Procedure for issuance of directions to the Arresting Officer/SHO, Police Station Sidhwan Bet to release the petitioners on bail in case bearing FIR No.57 dated 10.05.2015, under Sections 307, 323, 324, 506, 294, 430, 148 and 149 of IPC registered at Police Station Sidhwan Bet, District Ludhiana.

While issuing notice of motion, following order was passed:

Contends that there was a dispute regarding the water channel and petitioner No.4 had filed a civil suit and had been granted an order of status quo on 05.12.2014 against Balwinder Singh & Jarman Singh. The FIR was lodged by Kulwinder Singh son of Balwinder Singh and the factum of dispute is itself admitted in the FIR. The injuries on the head and arm have been attributed to one Dr. Dalwinder Singh, which was inflicted on the person of the complainant on the head and the right arm and the said co-accused has been

already released on regular bail by the Sessions Court. Regarding petitioners No.2 & 6, Rachhpal Singh and Lal Singh, allegations are that they had only scuffled and had used abusive language whereas petitioner No.4, Gurcharan Singh and Bita Singh had given simple injuries on the left toe and on the back of the complainant. It is submitted that in such circumstances, no specific reasons have been given to deny the benefit of interim protection.

Notice of motion for 17.07.2015.

In the meantime, in the event of the arrest of the petitioners, they shall be released on interim bail by the arresting officer, subject to the conditions laid down in Section 438(2) Cr.P.C.

As per the instructions from SI Sukhwinder Singh, learned State counsel has submitted that petitioners have joined the investigation on different dates and are no more required for further investigation.

So, taking into consideration all these aspects of the case, order dated June 09, 2015, is made absolute, subject to the conditions, as envisaged under section 438(2) Cr.P.C.

July 30, 2015
m. sharma

(JASPAL SINGH)
JUDGE