

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

(204)

CRM-M-24647-2015

Decided on: October 19, 2015.

Amninder Singh

.... Petitioner

Versus

State of Punjab

..... Respondent

(2)

CRM-M-25558-2015

Bhupinder Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

(3)

CRM-M-27780-2015

Sandeep Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**Present: Mr. P.S. Dhaliwal, Advocate,
for the petitioner (in CRM-M-24647-2015).**

**Mr. Kuldeep Singh, Advocate,
for the petitioner (in CRM-M-25558-2015).**

**Mr. Jai Bhagwan, Advocate,
for the petitioner (in CRM-M-27780-2015).**

Mr. Jashan Preet Singh, AAG, Punjab.

**Mr. P.S. Ahluwalia, Advocate,
for the complainant.**

M.M.S. BEDI, J (ORAL)

This order will dispose of three applications for grant of pre-arrest bail, one (CRM-M-24647-2015) filed by Amninder Singh, second (CRM-M-25558-2015) filed by Bhupinder Singh and third (CRM-M-27780-2015) filed by Sandeep Singh.

The FIR was registered at the instance of Paranjit Singh alleging that petitioners along with 7-8 other people had trespassed into the house of the complainant armed with deadly weapons and caused injuries to eight persons who are members of the family of the complainant. Out of 10 suspects who had participated in the occurrence, seven have already been arrested. So far as petitioners are concerned, they have sought concession of pre-arrest bail.

With the assistance of learned counsel for the petitioners and learned counsel for the complainant, I have gone through the allegations against each of them.

Petitioner Amninder Singh is not named in the FIR but his presence is implied from the cross-version recorded from the side of the accused party. Bhupinder Singh petitioner is alleged to have given a 'soti' blow on the arm of Kuldeep Singh who is one of the eight family members, resulting in simple injury. So far as petitioner Sandeep Singh is concerned, he had thrown brick bats which had caused injury on the lip of Harpal Singh. The said injury has not been declared a grievous injury.

Learned counsel for the complainant has intervened to oppose the applications for pre-arrest bail contending that eight persons had been

injured in the case and it was Sandeep Singh who had led the unlawful assembly and exhorted the other members of unlawful assembly to attack the complainant party. Some photographs have been relied upon indicating the presence of Sandeep Singh on the spot.

I have heard learned counsel for the petitioners, learned counsel for the complainant as well as learned State counsel and gone through the police file.

All the petitioners have not been attributed any grievous injury. The recording of cross-version by the prosecution agency against the complainant party is not disputed. It would prima facie be debatable at trial as to who was the aggressor.

Without expression of any opinion on merits of the case, it is sufficient to observe here that the petitioners have joined investigation. It does not appear to be a case of custodial interrogation. In said circumstances, the petitioners can be granted the concession of bail.

Petitions are allowed. It is ordered that in case of arrest of petitioners, they will be released on bail to the satisfaction of the arresting officer subject to the following conditions:

- (1) Petitioners will not commit any similar offence of which they are accused of during pendency of the trial;
- (2) Petitioner will not tamper with the evidence or hamper the investigation in any manner;
- (3) Petitioners will join investigation as and when required; and
- (4) Petitioners will not browbeat or threaten the witnesses in any manner.

In case of violation of any of the conditions, it will be open to the prosecution agency or the complainant to approach this Court for cancellation of the bail.

(M.M.S. BEDI)
JUDGE

October 19, 2015
harsha