

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

**C.R.M-M No.26751 of 2015
Date of Decision : 21.08.2015**

Jagtar Singh and another

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Sandeep Arora, Advocate
for the petitioners.

Ms. Amarjit Kaur Khurana, Addl.A.G., Punjab.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in case F.I.R. No.198 dated 4.7.2015 registered under Sections 323, 324, 452, 506, 148, 149 IPC at Police Station Dasuya, District Hoshiarpur.

Learned counsel for the petitioners has argued that in this case five persons are accused and the grievous injury is attributed to Rajwant Kaur wife of Jagtar Singh. He has further argued that even the application for anticipatory bail filed by Rajwant Kaur was declined by the Sessions Court and he has filed an application for anticipatory bail on her behalf in

this Court also and he would not press the same and the said Rajwant Kaur would surrender and seek regular bail. However, as per him the partisan attitude of the police can well be gauged from the fact that even though the petitioner No.2 in the present case suffered 16 injuries, no person from the other side has even moved a petition for anticipatory bail.

Learned Additional Advocate General on instructions from ASI Daljit Singh has disputed that the police is exhibiting partisan attitude but in view of the fair stand taken by learned counsel for the petitioners the police will definitely take action against the other party also.

In this view of the facts and considering that the petitioner No.1 has only been attributed lalkara and fist blow and the petitioner No.2 has himself suffered 16 injuries, I deem it appropriate to grant the concession of anticipatory bail to the petitioners.

Resultantly, the petition is allowed.

In the event of arrest of the petitioners, they shall be released on bail to the satisfaction of the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

August 21, 2015

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**(AJAY TEWARI)
JUDGE**