

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

(208)

(1)

CRM-M-30504-2015

Decided on: December 01, 2015.

Gurjit Singh

.... Petitioner

Versus

State of Punjab

..... Respondent

(2)

CRM-M-37662-2015

Amanbir Singh and others

.... Petitioners

Versus

State of Punjab

..... Respondent

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

Present: Mr. K.B. Raheja, Advocate, for the petitioners.

Ms. Harpreet Kaur Athwal, DAG, Punjab.

Mr. Raman Goklaney, Advocate, for the complainant.

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

This order will dispose of two applications for grant of pre-arrest bail, one (CRM-M-30504-2015) filed by Gurjit Singh and another (CRM-M-37662-2015) filed by Amanbir Singh and others.

The FIR was registered at the instance of complainant Hardial Singh alleging that the petitioners had constituted an unlawful assembly on the occasion of panchayat elections rivalry and fired at the complainant and others.

Perusal of the FIR and the allegations indicate that none of the petitioners has been attributed any specific injury. Gurjit Singh was alleged to be member of unlawful assembly but no specific role has been attributed to him. He had allegedly fired .12 bore gun. So far as petitioners Amanbir Singh, Simranjit Singh and Gujjar Singh are concerned. They have also not been attributed any injury.

It is not out of place to observe here that a cross-version has also been registered at the instance of Davinderjit Singh co-accused of the petitioners.

All the petitioners have joined investigation.

Perusal of the police file indicates that specific gun shot injuries have been attributed to the co-accused of petitioners, namely Navjot Singh, Davinder Singh and Gurpreet Singh.

Learned counsel for the complainant has intervened to oppose the application for bail.

On asking of the Court, investigating officer informs that the petitioners are not involved in any other case of similar nature and the armed gun of petitioner Gurjit Singh stood deposited with the gun house on account of panchayat elections.

In view of said circumstances, it does not appear to be a case of custodial interrogation. Both the petitions are allowed. It is ordered that in case of arrest of the petitioners, they will be released on bail to the satisfaction of the arresting officer subject to the conditions that they will join investigation as and when required and will not tamper with the evidence or hamper the investigation in any manner.

(M.M.S. BEDI)
JUDGE

December 01, 2015

harsha