

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 30863 of 2015 (O&M)

Date of decision : September 21, 2015

Kuljit Singh @ Billa and others,

..... Petitioners

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Rishu Mahajan, Advocate
for the petitioners.

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

- 1. Whether Reporters of Local Newspapers 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)

The petitioners seek grant of anticipatory bail in case FIR No.114, dated 12.8.2014, registered under Sections 323, 324, 336 148, 149 & 326 (added later-on) of the IPC, at Police Station Majitha, Amritsar.

Counsel for the petitioners has argued that originally the FIR was lodged under Sections 323, 324 of the IPC and the petitioners had joined the investigation but later on two of the injuries, one above the left eye and another on the left wrist, were declared to be grievous. As per him, this is a cross version case and similar injuries were caused to the petitioners also and offence under Section 326 IPC was subsequently added

but none of those accused has been arrested. Counsel for the petitioners has further argued that in view of the fact that in both the versions, Section 326 of the IPC was added later-on, in case the petitioners are granted anticipatory bail, they would not oppose the grant of anticipatory bail to the persons who are accused in their cross case.

Learned Addl. A.G Punjab has, however, argued that injuries have been given by both the parties and rather this is a case where anticipatory bail to both the sides should be rejected.

Be that as it may, keeping in view the nature of the injuries and the statement made by counsel for the petitioners, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioners. Resultantly, this petition is allowed and it is directed that in the event of their arrest, the petitioners shall be released on anticipatory bail by the Investigating Officer to his satisfaction subject to the compliance of the provisions as contained in Section 438(2) of the Cr.P.C.

September 21, 2015
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(AJAY TEWARI)
JUDGE