

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

CRM-M No.38198 of 2014
DATE OF DECISION : 29th MAY, 2015

Satnam Singh & others

.... Petitioners

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE SURINDER GUPTA

* * * *

Present : Mr. Deepak Sabharwal, Advocate with
Mr. J. S. Lalli, Advocate for the petitioners.
Mr. Amritpal Singh Gill, Assistant Advocate General, Punjab.
Mr. Jagjit Singh, Advocate for the complainant.

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SURINDER GUPTA, J. (ORAL)

Heard.

The petitioners seek pre-arrest bail in cross-version case arising out of FIR No.32 dated 24.03.2014 registered at Police Station Sadar Kapurthala for offence punishable under Sections 302, 307, 324, 148 and 149 IPC.

As per the version of the complainant in the FIR the occurrence took place on 23.03.2014 at about 5.30 pm, wherein injuries were caused to eight persons from the complainant side in that FIR. Kuldeep Singh died because of the injuries caused to him. Petitioner No.5-Harneek Singh received injury caused by *kirch* in his stomach. Petitioner No.2-Amarjit Singh, petitioner No.3-Sukhwinder Singh, petitioner No.4-Jaskaran Singh, petitioner No.6-Kamaljit Singh, petitioner No.8-Sukhwinder Singh @ Sodhi son of Sawran Singh and petitioner No.9-Jagjit Singh also suffered injuries

caused by sharp edged weapon. In the cross-version case recorded by the police there is mention of injuries caused to Jagjit Singh (5 injuries), Pavanpreet (5 injuries), Avtar Singh (5 injuries). One of the injuries, caused to Jagjit Singh and Avtar Singh, was stated to have been declared as grievous.

It has been submitted by learned State counsel that the challan has been presented in case bearing FIR No.32 dated 24.03.2014 but the cross-version case is still under investigation.

Learned counsel for the petitioners submits that earlier the petitioners were allowed benefit of interim bail by the Court of Additional Sessions Judge, Kapurthala and all the petitioners have joined the investigation. He further submits that the petitioner No.6-Kamaljit Singh and petitioner No.10-Navjiwan Singh @ Jeewan Singh are minors while petitioner No.5-Harnek Singh has remained admitted in various hospitals for the treatment of his injuries caused in the occurrence and has spent about rupees 35 lacs over his treatment so far.

Learned State counsel submits that the petitioners No.10 to 14 have since been found innocent by the police and they are no more required for their custodial interrogation. However, keeping in view the number of injuries caused to the injured and the offence under Section 326 IPC, disclosed in this case the custodial interrogation of remaining petitioners is required to recovery the weapon of offence.

Keeping in view the facts that it is a case of cross-version and petitioners have also joined the investigation after being allowed interim anticipatory bail, this petition is allowed. Order dated 20.11.2014 staying

arrest of the petitioners is modified to the extent that in the event of their arrest being required, the petitioners will be released on bail on furnishing bail bond and surety bond to the satisfaction of arresting officer, subject to the following terms:

- (i) that the petitioners shall make themselves available for interrogation by the police as and when required;
- (ii) that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioners shall not leave India without the prior permission of the Court.
- (iv) that the petitioners will seek regular bail on the presentation of challan in Court.

29th May, 2015
'raj'

(SURINDER GUPTA)
JUDGE