

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM No. M-38635 of 2014

Date of decision: 13.01.2015

Jagtar Singh and another

.....Petitioners

versus

State of Punjab

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr. Sarbjit Singh, Advocate for the petitioner
Mr.Nikhil K. Chopra, DAG Punjab
Mr.Amar Singh Sandhu, Advocate for the complainant

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?*

Kuldip Singh, J. (Oral)

The complainant lodged an FIR against her husband, father-in-law and brother-in-law (dewar), alleging that she was forcibly administered pesticide by the accused. No injury on the face or other part of the body was found. The petitioners were directed to join investigation.

Learned State counsel, on instructions from ASI Sahib Singh, states that the petitioners have joined the investigation and disclosed all the facts within their knowledge to the police.

Learned counsel for the complainant has argued that pending the present petition, another occurrence has taken place on 6.12.2014, in which father of the complainant has suffered injuries.

Copy of the FIR has been produced. A perusal of the copy of the FIR

shows that the allegations against Jagtar Singh petitioner No.1 are that he gave a sword blow which hit the left hand little finger of Surmukh Singh and that *datar* blow given by Kanwarsher Singh petitioner No.2 hit left hand ring finger. Receipt of injuries is yet to be co-related during the investigation. It is to be seen whether such injuries could be caused in the given manner. The possibility of the injuries being self suffered is there. Therefore, subsequent FIR cannot be made basis of declining the relief in the present case.

In view of the matter and the discussions above, I am of the view that since it is a debatable point whether the pesticide could be forcibly administered, without causing any injury and the petitioners have joined the investigation, anticipatory bail application is allowed and the interim bail granted on 28.11.2014 is made absolute.

13.01.2015
gk

(Kuldip Singh)
Judge