

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision:- April 21, 2015

1. CRM No.M-8512 of 2015

Jagmeet Singh @ Kali

.....Petitioner...

Vs.

State of Punjab

....Respondent...

2. CRM No.M-2207 of 2015

Manroop Singh @ Sahib Singh

....Petitioner...

vs.

State of Punjab

....Respondent...

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Dheeraj Mahajan, Advocate,
for the petitioner(s).

Mr. Yogesh Gupta, AAG, Punjab,
for the respondent-State along with HC Jaswinder Singh.

JASPAL SINGH, J.

By this common order, this Court intends to dispose of two criminal petitions bearing CRM-M No.8512 of 2015, captioned as “***Jagmeet Singh @ Kali v. State of Punjab***” and CRM-M No. 2207 of 2015, captioned as “***Manroop Singh @ Sahib Singh v. State of Punjab***”.

2. Both these petitions are outcome of the same

FIR No. 14, dated 24.01.2014, under Sections 323, 324, 341 and 34 IPC (offence under Section 326 added later on), registered at Police Station City, Gurdaspur.

3. In compliance of order dated March 25, 2015, Dr. Jatinder Pal Singh, MD Forensic Medicine and Toxicology, Dr. Varinder Mohan, MD (Psychiatry) and Dr. Malkit Singh, MS (Surgery) are present in Court, who are summoned to explain the circumstances under which they have given negative opinion regarding alleged injuries attributed to the petitioners. Though, they could not furnish any satisfactory reply but they have been advised not to give such opinion just on the requests made by police with some ulterior motive, just to help one of the parties. However, they are discharged.

4. As far as both the petitioners are concerned, it has been submitted by learned State counsel, on instructions from HC Jaswinder Singh that they have joined investigation and are no more required for further interrogation. Moreover, initially case was registered under Sections 323, 324, 341 and 34 IPC, petitioners have joined the investigation and were let off. Subsequently, offence under Section 326 IPC has been added on receipt of X-ray report. Thereafter, the Board of doctors constituted by SMO has opined that injury No. 5 could be the result of friendly hands. Since, petitioners have joined the investigation and are no more required even as per submission of learned State counsel, order dated March 19, 2015, passed in CRM-M-8512-2015 and order dated January 27, 2015, passed in CRM-M-2207 of 2015, are made absolute, subject to the

following conditions prescribed under Section 438(2) Cr.P.C:-

- (i) *a condition that the petitioner(s) shall make themselves available for interrogation by a police officer as and when required;*
- (ii) *a condition that the petitioner(s) shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;*
- (iii) *a condition that the petitioner(s) shall not leave India without the previous permission of the Court.*

(JASPAL SINGH)
JUDGE

April 21, 2015
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