

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

CRM-M-13957-2016 (O&M)

Date of decision : 19.08.2016

Lakhwinder Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. H.S. Dhillon, Advocate for the petitioners.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by SI Reshamjit Singh.

Mr. Veneet Sharma, Advocate,
for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The petitioners seek pre-arrest bail in cross-version recorded vide Rapat roznamcha No.20 dated 24.05.2015, under Sections 307, 506 and 148 read with Section 149 of the Indian Penal Code (for short, the IPC) and Sections 25 and 27 of the Arms Act, in case FIR No.69 dated 24.05.2015, registered under Sections 307, 506 and 148 read with Section 149 IPC and Sections 25 and 27 of the Arms Act, at P.S. Raja Sansi, Distt. Amritsar.

Heard.

On 10.05.2016, the following order was passed:-

“The present petition has been filed under Section 438 Cr.P.C seeking the concession of anticipatory bail to the petitioners in cross version case registered vide Report No.20 of Rojnamcha dated 24.5.2015 under sections 307, 506, 148, 149 I.P.C read with sections 25, 54, 27, 59 of Arms Act at

Police Station Raja Sansi, District Amritsar in case F.I.R No.69 dated 24.5.2015 under sections 307, 506, 148, 149 I.P.C read with sections 25, 54, 27, 59 of Arms Act at Police Station Raja Sansi, District Amritsar.

Counsel would contend that it is a case of version and crossversion. In so far as petitioner no.1 is concerned, he was stated to be armed with a kirpan and an injury on the person of Balkar Singh is attributed to him. Counsel has adverted to the M.L.R of Balkar Singh to contend that injury no.2 attributed to petitioner no.1 is on the left hand and at the base of the index finger and such wound has been commented to be superficial in nature.

In so far as petitioner no.2 Sakattar Singh is concerned, he is stated to be armed with a datar and caused injuries upon the person of complainant Avtar Singh. M.L.R of Avtar Singh has been adverted to to show that there is no injury reflected therein which could be an incised injury caused by a sharp edged weapon.

List for further consideration on 19.8.2016.

To be heard along with CRM No. M-13956 of 2016.

In the meanwhile, petitioners are directed to join investigation.

In the event of arrest, the petitioners shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioners shall join investigation as and when called upon to do so and they shall remain bound by the conditions envisaged under Section 438

(2) Cr.P.C.”

Learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioners have joined the investigation and they are not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 10.05.2016, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

19.08.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No