

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-14422 of 2016

.....

Date of decision:8.8.2016

Darshan Singh and another

.....Petitioners

v.

State of Punjab

.....Respondent

....

Present: Mr. T.S. Sangha, Senior Advocate with Mr. H.S. Sangha,
Advocate for the petitioners.

Mr. P.S. Paul, Deputy Advocate General, Punjab
for the respondent-State.

Mr. Naveen Sharma, Advocate for the complainant.

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Inderjit Singh, J.

The petitioners have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in cross-version registered for the offences under Sections 323, 324, 326, 341, 148 and 149 IPC at Police Station Doraha, District Khanna, Ludhiana of FIR No.08 dated 16.1.2016 registered for the offences under Sections 323, 325, 307, 506, 120-B, 148 and 149 IPC and (Section 302 IPC, which was added later on).

At the time of arguments, learned counsel for the petitioners argued that only 'Lalkara' has been attributed to Darshan Singh and simple injury with Kirpan is attributed to Beant Singh.

Notice of motion has been issued in this case.

Mr. P.S. Paul, learned Deputy Advocate General, Punjab has put

in appearance on behalf of the respondent-State and Mr. Naveen Sharma, learned Advocate has appeared for the complainant and contested this petition.

I have heard learned counsel for the petitioners as well as learned Deputy Advocate General, Punjab appearing for the respondent-State and learned counsel for the complainant and have gone through the record.

From the record, I find that the petitioners have already joined the investigation. They are not required for interrogation and investigation purposes. It is a case of version and cross-version. Murder case has been registered against the complainant side. It is yet to be determined as to who was the aggressor party. No useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 29.4.2016 passed by this Court granting interim bail to the petitioners is made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

August 8, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No