

**CRM-M-17271-2016 and
CRM-M-20955-2016**

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

Date of Decision: 26.08.2016

1. CRM-M-17271-2016

Gurbachan Kaur and another

... Petitioners

Versus

State of Punjab

... Respondent

AND

2. CRM-M-20955-2016

Kuldeep Singh and others

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. P.B.S.Goraya, Advocate,
for the petitioners in both the petitions.

Ms. Shivali, Assistant Advocate General, Punjab.

INDERJIT SINGH, J. (Oral)

This order shall dispose of CRM-M-17271-2016, filed by petitioners, namely, Gurbachan Kaur and Harjit Kaur and CRM-M-20955-2016, filed by petitioners-Kuldeep Singh, Ranjit Singh and Manjit Kaur, under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.46

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dated 09.04.2016, registered at Police Station Majitha, District Amritsar, under Sections 323, 324, 326, 148 and 149 IPC.

Notice of motion has been issued in both these cases.

Ms. Shivali, learned Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested these petitions.

I have heard learned counsel for the petitioners as well as learned State counsel and have gone through the record.

It is pertinent to mention here that CRM-M-20955-2016 qua petitioner No.1-Kuldeep Singh was not pressed by learned counsel for the petitioners on 21.06.2016. Hence, CRM-M-20955-2016 is dismissed qua petitioner No.1, Kuldeep Singh, being not pressed.

As per the prosecution version, Gurbachan Kaur, petitioner No.1 raised *lalkara* whereas Harjit Kaur, petitioner No.2 in CRM-M-17271-2016 has been stated to be armed with danda, Ranjit Singh, petitioner No.2 in CRM-M-20955-2016 has been stated to be armed with *dang* and only simple injuries have been attributed to Harjit Kaur and Ranjit Singh. Manjit Kaur, petitioner No.3 in CRM-M-20955-2016 has been stated to be armed with *datar* but she caused the injury from the reverse side of *datar*. Petitioners in CRM-M-17271-2016 and petitioner Nos.2 and 3 in CRM-M-20955-2016 are not the main accused.

In pursuance of the interim orders dated 19.05.2016 passed in CRM-M-17271-2016 and dated 21.06.2016 passed in CRM-M-20955-2016,

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petitioners, namely Gurbachan Kaur, Harjit Kaur, Ranjit Singh and Manjit Kaur, have already joined the investigation. They are now not required for custodial interrogation.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case and no useful purpose will be served by sending petitioners, namely Gurbachan Kaur, Harjit Kaur, Ranjit Singh and Manjit Kaur to custody, I find merit in CRM-M-17271-2016 and CRM-M-20955-2016 qua petitioner Nos.2 and 3 only and, therefore, the same are allowed accordingly. The orders dated 19.05.2016 passed in CRM-M-17271-2016 and dated 21.06.2016 passed in CRM-M-20955-2016, granting interim bail to the petitioners in CRM-M-17271-2016 and petitioner Nos.2 and 3 in CRM-M-20955-2016 are made absolute. However, the petitioners in CRM-M-17271-2016 and petitioner Nos.2 and 3 in CRM-M-20955-2016 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.

26.08.2016
parveen kumar

(INDERJIT SINGH)
JUDGE

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