

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

CRM-M -24023 of 2016 (O&M)
Date of decision: 08.11.2016

Kiranjit Kaur and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. P.S. Ahluwalia, Advocate for the petitioners.

Mr. Mehardeep Singh, Addl. A.G., Punjab
assisted by ASI Sham Lal.

Mr. Ishan Gupta, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioners have sought anticipatory bail in cross version of FIR No.40 dated 22.05.2016, registered under Sections 120-B, 307, 323, 427 and 148 read with Section 149 of IPC and Sections 25 & 27 of Arms Act, at Police Station Sadar Sunam, District Sangrur.

On 17.08.2016, this Court had passed the following order:-

“Learned counsel for the petitioners refers to Annexure P-4, the MLR carried out upon Baba Charat Singh, to contend that no external injury was noticed

corresponding injury Nos.1 and 2, whereas, no fresh bleeding or corresponding injury on the upper lip was noticed corresponding injury No.3. Further contends that the cross-version has been recorded only the exert pressure on the petitioners.

On the other hand, learned counsel for the complainant states that the complainant is in possession of the land in dispute in terms of the order passed by Hon'ble the Supreme Court on 09.12.2015, in SLP(C) No.22025 of 2012. The petitioners are the aggressors and want to dispossess the complainant.

Keeping in view the nature of injuries allegedly attributed to the petitioners, they are allowed to join the investigation.

Post again on 24.08.2016.

Meanwhile, in the event of arrest of the petitioners by the Arresting Officer, they shall be released on interim bail subject to the following conditions:

- 1. That they shall make themselves available for interrogation by a police officer as and when required;*
- 2. That they 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 him from disclosing such facts to the Court or to any police officer and;*
- 3. That they shall not leave India without previous permission of the Court.”*

It is contended that in pursuance of the order dated 17.08.2016, the petitioners have joined the investigation

The learned State counsel, on instructions submits that the petitioners have joined the investigation and they are not required

for custodial interrogation.

The learned counsel for the complainant opposes the bail application.

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 17.08.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

08.11.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable: Yes No