

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

CRM No.M-29217 of 2016 (O&M)

Date of Decision: October 17, 2016

Kala @ Sandeep Singh and another

...Petitioners

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Bipan Ghai, Senior Advocate with
Mr.Paras Talwar, Advocate
for the petitioners.

Ms.Shivali, Asstt. Advocate General, Punjab
for the respondent-State.

Mr.N.S.Lucky, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioners have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.92 dated 15.07.2016 under Sections 307, 325, 324, 323, 341, 148, 149 IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Kharar, District Mohali.

Notice of motion was issued and learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

I have heard learned counsel for the parties as well as learned

State counsel and have gone through the record.

The petitioners have already joined the investigation. They are no more required for custodial interrogation. Though, they are named in the FIR but there is no allegation regarding the fact that they were holding specific weapons. There is general attribution to the petitioners and no specific injury has been attributed to them. Otherwise also, the grievous injury is on the leg of Chhote Khan and grievous injury on the person of Ajaib Singh is on the thigh. Other injuries are simple in nature.

The trial of the case will take long time. No useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where the petitioners are entitled to benefit of anticipatory bail. Therefore, the present petition is accepted and the order dated 23.08.2016 granting interim bail to the petitioners, is made absolute.

October 17, 2016
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No