

CRM-M-31422-2016

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

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Date of Decision: 25.10.2016

Dial Singh and others

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Bipan Ghai, Sr. Advocate with
Mr. Vishavjit S. Virk, Advocate,
for the petitioners.

Ms. Bhawna Gupta, Deputy Advocate General, Punjab.

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

INDERJIT SINGH, J.

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

It is pertinent to mention here that notice of motion was issued only qua petitioner Nos.1 to 3 and petition qua petitioner No.4

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was dismissed on 07.09.2016.

Learned State counsel appeared on behalf of the respondent-State and the complainant put in appearance through his counsel. They both contested this petition.

I have heard learned counsel for petitioner Nos.1 to 3; learned State counsel as well as learned counsel for the complainant and have gone through the record.

From the record, I find that there is only one grievous injury with blunt weapon on the person of Chhote Khan and one grievous injury on the person of Ajaib Singh with blunt weapon. There is no injury which was declared as dangerous to life.

In pursuance of the interim order dated 23.09.2016, petitioner Nos.1 to 3 have already joined the investigation. They are now not required for custodial interrogation. Nothing is to be recovered from them.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details; without expressing any opinion on the merits of the case and that no useful purpose would be served by sending petitioner Nos.1 to 3 in custody, I find merit in this petition qua petitioner Nos.1 to 3 and the same is allowed accordingly. The interim order dated 23.09.2016 passed by this Court, granting interim bail to petitioner Nos.1 to 3, is made absolute. However, petitioner Nos.1 to 3 shall join the investigation as and when

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called upon to do so and shall abide by the conditions of Section 438 (2)
Cr.P.C.

25.10.2016
parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No