

**CRM-M-31814-2016 and  
CRM-M-33304-2016**

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

**Date of Decision: 22.11.2016**

**1. CRM-M-31814-2016**

Sukhwinder Singh alias Kaka

... Petitioner

Versus

State of Punjab

... Respondent

**AND**

**2. CRM-M-33304-2016**

Gurpreet Singh alias Gopi

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

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

Mr. P.S.Grewal, Deputy Advocate General, Punjab.

Mr. M.S.Khaira, Advocate,  
for the complainant.

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**INDERJIT SINGH, J.**

This order shall dispose of CRM-M-31814-2016, filed by petitioner-Sukhwinder Singh alias Kaka and CRM-M-33304-2016, filed by petitioner-Gurpreet Singh alias Gopi, under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.70 dated 18.07.2016, registered at Police Station Bullowal, District Hoshiarpur, under Sections 307, 324, 148, 149 and 506 of the Indian Penal Code.

Notice of motion was issued in both these petitions. Learned State counsel put in appearance on behalf of the respondent-State and the complainant also appeared through his counsel. They contested both these petitions.

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

From the record, I find that although petitioner-Sukhwinder Singh alias Kaka has been named in the FIR, but he has been found innocent during the investigation. Simple injury with *datar* on left side of back of complainant is attributed to petitioner-Sukhwinder Singh alias Kaka.

In pursuance of the order dated 14.09.2016 passed in CRM-M-31814-2016, petitioner-Sukhwinder Singh alias Kaka has joined the investigation. He is not required for further custodial interrogation. He was declared innocent after the investigation.

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So far as case of petitioner-Gurpreet Singh alias Gopi is concerned, he has also been named in the FIR. He has given *datar* blow on the left arm of the complainant and the said injury has been declared grievous in nature. As per the record, no injury has been declared dangerous to life. As per the opinion of Board of Doctors, which is annexed herewith as Annexure P-3, possibility of this injury having been caused due to self-infliction or by a friendly hand, cannot be ruled out.

Learned counsel for the petitioners argued on behalf of petitioner-Gurpreet Singh alias Gopi that a case has been got registered against the complainant and two sons of the D.S.P., posted at the station. He further argued that earlier also, a case was registered against the petitioners, which was later on cancelled being found false.

In pursuance of the order dated 28.09.2016 passed in CRM-M-33304-2016, petitioner-Gurpreet Singh @ Gopi has joined the investigation. He is not required for further 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, I find merit in both these petitions and the same are allowed. The orders dated 14.09.2016 passed in CRM-M-31814-2016 and dated 28.09.2016 passed in CRM-M-33304-2016, granting interim bail to the petitioners, are made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of

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Section 438 (2) Cr.P.C.

**22.11.2016**  
parveen kumar

**(INDERJIT SINGH)  
JUDGE**

|                           |   |     |
|---------------------------|---|-----|
| Whether speaking/reasoned | : | Yes |
| Whether reportable        | : | No  |