

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

CRM-M No.35107 of 2015

Decided on: 08.01.2016

SUKHWINDER KAUR & ANR

. . . Petitioners

Versus

STATE OF PUNJAB

. . . Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Veneet Sharma, Advocate
for the petitioners.

Ms. Anmol Grewal, Asstt. Advocate General, Punjab.

Mr. Vikas Gupta, Advocate
for the complainant.

TEJINDER SINGH DHINDSA, J. (Oral)

This order shall dispose of present petition filed under Section 438 Cr.P.C praying for grant of anticipatory bail to the petitioners in case FIR No.72 dated 24.07.2015, under Sections 324, 325, 326, 341, 34 IPC, registered at Police Station, Valtaha, District Tarn Taran.

On 13.10.2015, following order was passed by this
Court:-

"It appears that injury attracting offence under Section 326 IPC has been attributed to Tasbir Singh, son of the petitioners. Admittedly, he was armed with a sharp edged weapon.

Notice of motion for 20.11.2015.

Arrest stayed meanwhile."

The matter, thereafter was taken up on 20.11.2015 and the following order was passed:-

"Petitioners are directed to join investigation.

Meanwhile, in the event of his arrest, the petitioners shall be released on bail to the satisfaction of arrest/investigating officer subject to the following conditions:-

- i) They shall make himself available for interrogation by a police officer as and when required;*
- ii) 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*
- iii) They shall not leave India without the previous permission of the Court."*

Learned State counsel upon instructions from SI Amreek Singh, would apprise the Court that the petitioner has joined the investigation and a 'Daang' has been recovered from Sewa Singh i.e. petitioner No.2. Counsel appearing for State as also for the complainant have not controverted the submission raised on behalf of the petitioners that the injury that has attracted

CRM-M No.35107 of 2015

the offence under Section 326 has been suffered by Dilbagh Singh and is attributed solely to Tasbir Singh i.e. son of the petitioners, who was stated to be armed with sharp edged weapon and has since been arrested.

Under such circumstances, custodial interrogation of the petitioner(s) would not be warranted. Present petition is, accordingly, allowed. Order dated 20.11.2015, passed by this Court, is made absolute.

[TEJINDER SINGH DHINDSA]
JUDGE

08.01.2016
sachin