

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

**(201-2)**

**CRM-M-37344-2016 (O&M)**

**Decided on: December 01, 2016.**

**Baljinder Kaur and others**

**.... Petitioners**

**Versus**

**State of Punjab**

**..... Respondent**

**(2)**

**(201-3)**

**CRM-M-38299-2016 (O&M)**

**Decided on: December 01, 2016.**

**Sahib Singh and others**

**.... Petitioners**

**Versus**

**State of Punjab**

**..... Respondent**

**CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI**

Present: Mr. R.S. Chauhan, Advocate,  
for the petitioners in both the petitions.

Mr. K.S. Nalwa, Addl. A.G., Punjab.

Ms. R.K. Thind, Advocate, for the complainant.

**M.M.S. BEDI, J (ORAL)**

This order will dispose of two applications for grant of pre-arrest bail, one (CRM-M-37344-2016) filed by Baljinder Kaur, Manjeet Kaur and Balwinder Kaur and the other (CRM-M-38299-2016) filed by Sahib Singh, Sukhwinder Singh, Pritpal Singh and Kulwinder Singh, in a cross-version case recorded as per DDR No.38 dated 25.07.2016 in FIR No.85 dated 25.07.2016, under Sections 452, 435, 324, 323, 148, 149 IPC, Section 326 and 201 IPC having been added later on, registered at Police Station Sadar Jalalabad. The cross-version was recorded at the instance of

Saraj Singh, an accused in the main case, alleging that the petitioners along with other 10-15 co-accused, armed with 'kirpans', 'dang', and 'sotis' etc. had reached the spot in a trolley and attacked the complainant party.

The injuries have been received by both the parties. Pallet injuries are attributed to Major Singh, accused in the main case. Co-accused of Major Singh have been granted concession of pre-arrest bail.

So far as the petitioners are concerned, I have gone through the role attributed to each of them. Petitioner Sahib Singh in CRM-M-38299-2016, has been attributed a 'dang' blow on the back and left leg of the complainant. Sukhwinder Singh petitioner No.2 is attributed a 'soti' blow on the knee of the complainant. Pritpal Singh petitioner No.3 was allegedly armed with 'kirpan' and had caused injury on the finger of left hand of the complainant. Kulwinder Singh petitioner No.4 has not been attributed any injury. So far as the ladies Baljinder Kaur, Manjeet Kaur and Balwinder Kaur, petitioners in CRM-M-37344-2016, are concerned, they have not been attributed any injury on the person of any one.

The petitioners have joined the investigation and most of the offences are bailable except for the offence of trespassing and 326 IPC.

Petitioner Pritpal Singh who has been attributed a grievous injury with 'kirpan' on the left hand finger, in my opinion, is not entitled to concession of pre-arrest bail. Application for pre-arrest bail qua this petitioner, is dismissed.

However, both the petitions qua all the remaining petitioners, are allowed. It is ordered that in case of arrest of these petitioners, they will be released on bail to the satisfaction of the arresting officer subject to the

conditions that they will join investigation as and when required; they will not tamper with the evidence or hamper the investigation in any manner and they will not commit similar offence of which they are accused of, during the entire period of trial.

Dismissal of application for pre-arrest bail of petitioner Pritpal Singh will not prejudice his right to claim regular bail by surrendering before the Illaqa Magistrate or the investigating officer. In case, he files an application for regular bail, his application will be decided expeditiously preferably within a period of 2 days.

**(M.M.S. BEDI)**  
**JUDGE**

**December 01, 2016**  
*harsha*

Whether speaking/reasoned:  
Whether reportable:

Yes/No  
Yes/No