

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

CRM-M-39201-2016

Date of Decision : 15.12.2016

Harbans Singh and another

.....Petitioners

versus

State of Punjab

.....Respondent

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

**Present:** Mr. Manish Kumar Singla, Advocate,  
for the petitioners.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

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

The petitioners seek concession of pre-arrest bail in a case registered at the instance of the complainant, namely Jagpreet Singh, alleging that on 04.08.2016, the petitioners, along with other members of the unlawful assembly, had given beatings to Sarabjit Singh and others, and when the complainant, along with other family members, had gone to rescue them, the petitioners and other co-accused armed with *kasia*, *gandasi*, *soti*, etc. had attacked them. So far as petitioner No. 1 is concerned, he is alleged to be armed with *kasia* and given blow on the head of the complainant. So far as petitioner No. 2 is concerned, he was allegedly present on the spot, armed with *gandasi*.

Learned counsel for the petitioners submits that all the

co-accused of the petitioners are on bail and that it is a case in which injuries were caused to both the parties, indulging in a group fight.

I have heard learned counsel for the petitioners. Taking into consideration the role of petitioner No. 2 as alleged in the FIR, he can be granted the concession of pre-arrest bail. So far as petitioner No. 1 is concerned, an FIR was registered at his instance against Jagpreet Singh and others for causing injuries on the person of petitioner No. 1. He is alleged to have suffered four injuries.

Since the petitioners claim bail in a cross-version case and have joined the investigation, both of them can be granted the concession of bail.

In view of the above, the petition is allowed. Interim order dated 02.11.2016, is hereby made absolute subject to all the conditions under Section 438 (2) Cr.P.C. and an another condition that the petitioners will not indulge in similar activities, of which they are accused of in the present case, during pendency of the trial.

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

**December 15, 2016**  
*apurva*

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No