

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-39887 of 2015 (O&M)
Date of Decision: 23.02.2016

Surinder Kaur & others

--Petitioners

Versus

State of Punjab

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Sandeep Arora, Advocate for the petitioners.

Mr. D.S. Virk, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of CRM No. M-39887 of 2015 (Surinder Kaur and others Vs. State of Punjab) and CRM No. M-39969 of 2015 (Gurmit Kaur and others Vs. State of Punjab) as both these connected petitions have been filed under Section 438 Cr.P.C seeking the concession of anticipatory bail to the petitioners herein in case F.I.R. No.355 dated 7.11.2015 under sections 452, 324, 323, 148, 149 I.P.C, registered at Police Station, Tripuri Town, Patiala.

On 24.11.2015, while issuing notice of motion in CRM No. M-39887 of 2015, the following order was passed by this Court:-

“It is contended that present is a case of version and cross-version. No specific role/injury has been attributed to the present petitioners and civil litigation between the parties is pending. They are ready and willing to join investigation.

Notice of motion to Advocate General, Punjab for 14.12.2015.

In the event of their arrest, petitioners shall be released on interim bail to the satisfaction of Investigating Officer. They shall fully cooperate in the investigation of this case and shall join investigation as and when required by the

CRM No. M-39887 of 2015 (O&M) -2-

investigating agency. Petitioners shall comply with the conditions stipulated in Section 438(2) Cr.P.C.”

Likewise, on 27.11.2015 the following order was passed in CRM No. M-39969 of 2015:-

“Learned counsel for the petitioners submits that co-accused of the petitioners have approached this Court by way of filing CRM-M No. 39887 of 2015 and they have been released on interim anticipatory bail by this Court vide order dated 24.11.2015 and the next date is fixed for 14.12.2015.

Notice of motion for 14.12.2015.

To be heard along with CRM-M No. 39887 of 2015.

Interim order in the same terms as in CRM-M No. 39887 of 2015.”

Learned State counsel upon instructions from ASI Daljit Singh would apprise the Court that the petitioners in these two connected petitions have since joined investigation. Even the recovery of the weapon has since been effected. It has also gone uncontroverted that in the alleged occurrence only simple injuries have been suffered and that it is a case of version and cross-version.

In the considered view of this Court, custodial interrogation of the petitioners, as such, would not be warranted. Accordingly, both the petitions are allowed. The orders dated 24.11.2015, passed in CRM No. M-39887 of 2015 and 27.11.2015, passed in CRM No. M-39969 of 2015, are made absolute.

Petitions disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

23.02.2016
lucky