

CRM 18093/2016 and
CRM-M 4853/2016

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

Date of decision:30/05/2016.

Darbara Singh

.....Petitioner

VS

State of Punjab

.....Respondent

CORAM:- HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Manbir Singh Baath,Advocate for
Mr.Raman Goklaney,Advocate for the petitioner.

Mr.Kirat Singh Sidhu,DAG Punjab assisted by ASI Gurjinder
Singh.

Mr.KB Raheja,Advocate for the complainant.

Jaswant Singh,J(Oral)

CRM 18093/2016 for placing on record an affidavit dated
20.5.2016 of the petitioner accused is allowed and said affidavit is
taken on record.

Registry to place the same at the appropriate place in the paper
book and paginate the same.

Main case

Prayer is for grant of anticipatory bail on behalf of
accused-Darbara Singh in case FIR No.172 dated 24.11.2015 under
Sections 364,452, 342, 323, 148,149 and 25/27/54/59 of the Arms
Act,1959, PS Makhu,Distt.Ferozepur.

As per allegations levelled by complainant-Bagicha Singh,

petitioner alongwith four other co-accused armed with swords, *kirpans*, *dangs* entered the house of his employer Navjot Singh and thereafter took him into their Jeep and inflicted 12 injuries.

It is submitted that Navjot Sijngh was elected as Sarpanch. Present complainant Bagicha Singh is his servant (*Seeri*). An incident on 14.6.2015 after the election had occurred between Navjot's party and losing candidate Rachhpal's party. Petitioner-accused belongs to Rachhpal's party. Due to the occurrence Rachhpal's party lodged FIR (P-4) dated 16.6.2015 against 8 accused and the opposite party through brother of Navjot lodged cross version dated 16.6.2015(P-5). On a thorough enquiry by DSP Zira vide report dated 21.11.2015 (P-6) found the cross version to be false. It is next contended that a false case has been foisted upon the petitioner now through servant (*Seeri*) of Navjot Singh by alleging another incident on 22.6.2015.

Learned counsel submits that petitioner has repeatedly joined investigations and also furnished a copy of the aforesaid affidavit placed on record as Annexure P-7, deposing that he or his family members do not own or at any time had owned a Mahindra Jeep allegedly used in the offence. It is submitted that brother of the petitioner owns an Indica car, registration certificate of which has been furnished to I.O. Thus, it is contended that custodial interrogation of the petitioner is not required.

Learned State counsel on instructions admits the

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submission of affidavit by the petitioner and states that custodial
interrogation is no longer required.

In view of the above interim bail granted vide order dated
23.2.2016 and extended vide order dated 11.4.2016 is made absolute.

Disposed of.

30.05.2016
joshi

(Jaswant Singh)
Judge