

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

**CRM-M No. 6330 of 2016 (O&M)
Date of Decision: 05.04.2016**

Jassa alias Jaspal and others

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. M.S. Sidhu, Advocate
for the petitioners.

Mr. Mikhail Kad, Assistant Advocate General, Punjab
for the respondent/State assisted by ASI Lakhwinder Singh.

Mr. Ashwani Arora, Advocate
for the complainant.

JASWANT SINGH, J. (ORAL)

Prayer in this petition under Section 438 of the Code of Criminal Procedure, is for grant of anticipatory bail on behalf of the accused persons, namely, Jassa @ Jaspal (petitioner No. 1 herein), Sachin (petitioner No. 2 herein), Kala @ Ajay Kumar (petitioner No. 3 herein), Vishal @ Rahul (petitioner No. 4 herein), Pappal @ Mukesh Kumar (petitioner No. 5 herein), in case FIR No. 26, dated 29.01.2016, for offences punishable under Sections 323, 452, 427, 148, 149 of the Indian Penal Code and Section 326, Indian Penal Code added later on, registered at Police Station Sadar Ferozepur.

It was contended that even as per FIR the petitioners are allegedly armed with *dandas* and mostly inflicted kick blows on the person of complainant. It was next contended that from the perusal of injuries, as per MLR reproduced in para 6 of the petition, on the complainant, no offence under Section 326 IPC is made out. It was also submitted that in fact, there is cross

version of the case where Sunil from the accused party has suffered injury as enumerated in para 7 of the petition.

At the time of hearing, learned counsel for the petitioners submits that pursuant to order dated 23.02.2016, passed by this Court, the petitioners have since joined the investigation and fully cooperated.

Learned State Counsel, assisted by ASI Lakhwinder Singh, does not refute the aforesaid factual position and further states that the petitioners are no longer required for custodial interrogation.

In view of the above, the interim protection/pre-arrest bail granted to the petitioners by this Court's order dated 23.02.2016, is made absolute.

Disposed of.

April 05, 2016

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**(JASWANT SINGH)
JUDGE**