

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

CRM-M-11550-2017 (O&M)

Date of decision : 17.05.2017

CHARANJIT BHATIA & ORS

...Petitioner (s)

Versus

STATE OF PUNJAB

...Respondent (s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present : Mr. B.S. Guliani, Advocate
for the petitioner (s).

Ms. Harsimrat Rai, DAG, Punjab.

Mr. Rajesh Punj, Advocate
for the complainant.

JITENDRA CHAUHAN, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioners have sought anticipatory bail in FIR No.28, dated 04.03.2017, registered under Sections 323, 324, 341, 506 and 148 read with Section 149 IPC and Section 326 IPC (added later on vide Rapat No.24), at P.S. Balachaur, Distt. SBS Nagar.

On 05.04.2017, the following order was passed:-

“Learned counsel refers to MLR report of petitioner No.1 (Annexure P-4) to contend that he suffered as many as six injuries. It is a case of version and cross version. He further contends that the injuries received by the petitioner are grievous in nature whereas injury suffered by one Rahul Mishra on non-vital part i.e. on little finger is not specifically attributed

to the petitioner and has been declared grievous.

Notice of motion.

At the asking of the Court, Ms. Shivali, AAG, Punjab, accepts notice on behalf of the respondent-State. A complete copy of the paper book has been furnished to the learned counsel, in the Court.

Mr. Tribhawan Singla, Advocate causes representation on behalf of complainant.

Post again on 17.05.2017.

Meanwhile, in the event of arrest of the petitioners by the Arresting Officer, they shall be released on interim bail subject to the following conditions:-

- 1. That they shall make themselves available for interrogation by a police officer as and when required;*
- 2. That they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*
- 3. That they shall not leave India without prior permission of the Court.”*

The learned counsel for the petitioners contends that it is a case of version and cross-version. As per the MLR of petitioner No.1, he has suffered as many as six injuries. The complainant party have suffered the simple injuries. Lastly, he states that in pursuance of order dated 05.04.2017, the petitioners have joined the investigation.

On the other hand, the learned State counsel, on instructions, states that though the petitioners have joined the investigation, however, they are required for custodial interrogation. The learned counsel for the complainant vehemently opposes the present bail petition.

Heard.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 05.04.2017, is made absolute, subject to furnishing bail bonds/surety bonds

to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate,
concerned.

The petition stands allowed.

17.05.2017
ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned:	Yes / No
Whether reportable:	Yes / No