

CRM-M-11811-2017

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

CRM-M-11811-2017

Date of Decision: 31.05.2017

Jugraj Singh alias Raja and others

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Vikas Garg, Advocate for
Mr. Vivek Goel, Advocate for
the petitioners.

Mr. V.P.S.Sidhu, AAG, Punjab.

INDERJIT SINGH, J.

Petitioners-Jugraj Singh alias Raja, Jagdeep Singh alias D.C., Harmandeep Singh, Gurvinder Singh and Mohinder Singh have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.127 dated 19.08.2016, registered at Police Station Dharamkot, District Moga, under Sections 324, 323, 427, 447, 448, 148, 149 and 506 IPC and Section 326 IPC added later on.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioners as well as learned State counsel and have gone through the record.

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From the record, I find that firstly, it is a case of version and cross-version. No injury has been attributed to petitioner Nos.1, 2 and 5 namely Jugraj Singh alias Raja, Jagdeep Singh alias D.C. and Mohinder Singh. However, petitioner No.3-Harmandeep Singh is stated to have given *dang* blow to the complainant and caused simple injury to him and injury with baseball has been attributed to petitioner No.4-Gurvinder Singh.

In pursuance of the interim order dated 07.04.2017 passed by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. Therefore, no useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details; without expressing any opinion on the merits of the case and in view of the facts that it is a case of version and cross-version; it is yet to be determined by the trial Court on the basis of evidence as to who is the aggressor party and moreover, grievous injury is stated to be on the finger, I find merit in this petition and the same is allowed. The order dated 07.04.2017, granting interim bail to the petitioners, is made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

31.05.2017

parveen kumar

(INDERJIT SINGH)
JUDGE

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