

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

(1)

**Crl. Misc. No.M-13045 of 2017 (O&M)
Date of Decision: July 19, 2017**

Maghar Singh

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

(2)

Crl. Misc. No.M-19262 of 2017 (O&M)

Sucha Singh

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. HPS Ishar, Advocate
for the petitioner (s).

Ms. Rajni Gupta, Senior D.A.G., Punjab.

Mr. Aman Dhir, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

Both the afore-mentioned petitions have been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No.25 dated 21.03.2017 registered for the offences punishable under Sections 307, 324, 325, 323, 506 read with Section 34 of Indian Penal Code, at Police Station Kotbhai, District Sri Muktsar Sahib.

Heard.

Learned State counsel on instructions from ASI Baj Singh submits that petitioners Maghar Singh and Sucha Singh have joined the investigation and have been allowed interim bail under order dated 18.05.2017 passed in CRM-M-13045-2017 and order dated 25.05.2017 passed in CRM-M-19262-2017. The investigation is still in progress but the custodial interrogation of the petitioner is not required for further investigation. The injury attributed to Sucha Singh is on the head, however, the same was declared simple. She further submits that it is a cross version case in which Sucha Singh son of Maghar Singh also received six injuries including a penetrating injury.

The police has to investigate as to which party is aggressor.

In view of the above facts but without expressing any opinion on the merits of the case, both these petitions are allowed. Order dated 18.05.2017 passed in CRM-M-13045-2017 and order dated 25.05.2017 passed in CRM-M-19262-2017 are made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioners shall make themselves available for interrogation by the police as and when required;
- (ii) that the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioners shall not leave India without the prior permission of the Court.
- (iv) that the petitioners will seek regular bail on the presentation of challan in Court.

(SURINDER GUPTA)
JUDGE

July 19, 2017
Sachin M.

Whether speaking/reasoned: **Yes/No**

Whether Reportable: **Yes/No**