

Criminal Misc. M- No. 13816 of 2017 (O&M)

Date of decision : August 03, 2017

Harsimran Singh @ Jotta Singh and anotherPetitioners

Versus

State of PunjabRespondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. B.R. Rana-I, Advocate
for the petitioners.

Ms. Monika Jalota, DAG, Punjab.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 34 dated 05.04.2017 registered under Sections 354, 342, 511, 506 IPC at Police Station Samalsar, District Moga.

It is submitted that the petitioners have been falsely implicated in this case. The contentions of the petitioners were noted by this Court on 01.06.2017 as under:-

“ It is submitted that the petitioners have been falsely implicated in this FIR registered due to party faction in the village. The Aunt of petitioner No. 1 is the present Sarpanch of the village Thathi Bhai. the complainant's husband is employed as a night watchman with one Gurjant Singh. Gurjant Singh's brother is the ex-sarpanch of the village. A representation signed by the Investigating Officer, respectable persons of the village including the members of the gram panchayat, retired Deputy Commandant, Border Security Force etc. was submitted before the Deputy Superintendent of Police.

The Investigating Officer, ASI Mukhinder Singh is present in Court. Learned counsel for the State verifies that

such a representation was indeed submitted and on inquiry the allegations against petitioner No. 2 were found to be false. However, allegations qua petitioner No. 1 were found to be correct.”

Learned counsel for the petitioners submits that pursuant to the interim order passed by this Court, the petitioners have joined investigation. It is, thus, prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Jaswinder Singh, affirms and verifies that petitioner No. 2 has been found innocent during investigation. This petition, it is submitted, has been rendered infructuous qua petitioner No. 2.

Ordered accordingly.

In respect to petitioner No. 1, it is verified that he has joined investigation and it is submitted that his custodial interrogation is not required.

There are no allegations on behalf of the State that petitioner No. 1 is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition. Consequently, order dated 07.07.2017 is made absolute.

August 03, 2017
rts

(Lisa Gill)
Judge

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