

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

1. Criminal Misc. No.M- 14573 of 2017(O&M)
Date of Decision: July 5 , 2017.

Gurmeet Singh and others PETITIONER(s)

Versus

State of Punja RESPONDENT (s)

2. Criminal Misc. No. M- 16767 of 2017(O&M).

Mandir Singh and others PETITIONER(s)

Versus

State of Punjab RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Navjot Singh, Advocate
for the petitioners.

Ms. Monika Jalota, DAG, Punjab.

Mr. Aman Dhir, Advocate
for the complainant.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

This order shall dispose of CRM No.M-14573 of 2017 (Gurmeet

Singh and others v. State of Punjab) and CRM No.M-16767 of 2017 (Mandir Singh and others v. State of Punjab).

The petitioners in both the abovesaid petitions pray for grant of anticipatory bail in FIR No.27 dated 26.03.2017 under Sections 452/354B/323/506/148/149 IPC registered at Police Station Kotbhai, District Muktsar Sahib.

Learned counsel for the petitioners submits that the dispute, in fact, is regarding a passage in relation to which civil litigation is pending between the parties. The petitioners have joined investigation. He further submits that it is wrongly mentioned in the FIR that the petitioners are raising threat to the life and liberty of the complainant and her family members. Separate affidavits dated 17.05.2017 were filed by all the petitioners to the effect that they never have and never will create any hindrance or threaten the life and liberty of the complainant or her family members. The passage in question, it was further stated, shall not be obstructed by them and they would abide by the decision of the competent court in this regard. The final report under Section 173 Cr.P.C. stands presented. Therefore, this petition be allowed.

Learned counsel for the State, on instructions from ASI Kamaljit Singh, affirms that the petitioners have indeed joined investigation. Final report under Section 173 Cr.P.C. has been submitted. Charge has been framed and part of the prosecution evidence has also been recorded. Custodial interrogation of the petitioners is obviously not required in this situation.

There are no allegations on behalf of the State that the petitioners are likely to abscond or that they are likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances as above but without

commenting upon or expressing any opinion on the merits of the case, both the petitions are allowed. Consequently, order dated 03.05.2017 in CRM No.M-14573 of 2017 and order dated 18.05.2017 in CRM No.M-16767 of 2017 are made absolute.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

July 5 , 2017.
'om'

(LISA GILL)
JUDGE

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