

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

**CRM-M-26635-2017
Date of decision :23.08.2017**

Gagandeep Singh @ Gaggu and others

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE H.S. MADAAN

Present : Mr. Munish Gupta, Advocate
for the petitioners.

Mr. K.S. Aulakh, DAG, Punjab.

H.S. MADAAN, J. (Oral)

Mr. Ramandeep Singh Pandher, Advocate puts in appearance on behalf of the complainant by filing power of attorney, which is taken on record.

Learned counsel for the petitioner has contended that all the injuries on the person of the injured are simple in nature the recoveries have already been effected and the petitioners have joined the investigation. All the petitioners except petitioner No.2 Jagtar Singh have surrendered their passports before the investigating agency and Jagtar Singh has furnished an affidavit that he is not holding any passport. He prays that the petition be allowed.

Learned counsel for the complainant along with learned State counsel opposed this request contending that some of the injuries on person of injured are on head which is a vital part and the accused-petitioner had intention to cause his death.

However, considering the facts and circumstances of the case and that such intention would be determined during the trial and as the thing stands that the injuries found on persons of injured are simple in nature with petitioners having been joined the investigation and recoveries have been effected from them and their custodial interrogation is not found to be required.

In the light of above circumstances, interim bail granted to the petitioners vide order dated 25.07.2017 is made absolute subject to conditions envisaged under Section 438(2) Cr.P.C.

The petition stands allowed accordingly.

(H.S. MADAAN)
JUDGE

23.08.2017

Gaurav Sorot

1. Whether reportable? **No**
2. Whether speaking / reasoned? **Yes**