

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

CRM-M-28065-2017 (O&M)

Date of decision: - 9.8.2017

Jagdish Singh @ Disha and another

.....Petitioners

versus

State of Punjab

.....Respondent

CORAM: - HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: - Mr. Gurvinder Singh, Sr. Advocate with
Mr. R.P.S. Bara, Advocate for petitioners.

ARVIND SINGH SANGWAN, J (ORAL)

This is a petition under Section 439 Cr. P.C. for grant of regular bail to petitioners in case FIR No. 138 dated 4.5.2017 under Sections 336/323/160/382/427/506/148/149 IPC read with Section 25/54/59 Arms Act and added offence 379B/295A registered at Police Station P.S. Division-A, Amritsar.

It is submitted by learned senior counsel that both the petitioners i.e. Jagdish Singh @ Disha and Major Singh are in judicial lock up since 28.5.2017. He further submits that as per the version given in the FIR, petitioner No. 1 is not shown to be carrying a *dattar* but no injury is attributed to him but brother of petitioner No. 2-Major Singh was named in the FIR and when petitioner No.2 lodged a complaint with the higher police officials for proper investigation of the case, he has also been roped in the present FIR.

Learned counsel for the petitioners further referred to the order dated 20.7.2017, passed in CRM-M-25011-2017, in which co-accused Kawalpreet Singh @ Kawaljit singh @ Kamal has been granted interim bail, as the FSL report is still awaited, regarding the injuries of the complainant-Jagir Singh as per his MLR.

Learned State counsel, on instructions from ASI Gurcharan Singh submits that after registration of the FIR, it has come in the statement of one Dharminder Singh that petitioner No.1 has given simple injury on the right bicep of Dharminder Singh.

Since, challan is yet to be presented and petitioners are no more required for further investigation, without commenting upon the merits of the case, present petition is allowed. Petitioners are ordered to be released on bail on their furnishing bail bonds/surety bonds to the satisfaction of trial Court/Duty Magistrate, Amritsar.

However, it will be open for the prosecution to apply for cancellation of bail in case the petitioners are found involved in any other subsequent case or found misusing concession of bail.

(ARVIND SINGH SANGWAN)
JUDGE

9.8.2017
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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No