

CRM-M-30035-2017

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

CRM-M-30035-2017

Date of Decision:04.10.2017

Raj Kumar and others

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

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

Mr. K.S.Aulakh, AAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioners-Raj Kumar, Karnail Bhayia, Rajesh @ Rajesh Kumar, Surinder Kaur Kehri @ Sawinder Kaur and Sona have filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in cross-case registered vide GD No.21 dated 12.05.2016, under Sections 323, 324, 325, 326, 148, 149 and 120-B IPC, in FIR No.69 dated 08.05.2016, registered at Police Station Beas, District Amritsar Rural, under Sections 323, 324, 326, 427, 436, 148 and 149 of IPC.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

CRM-M-30035-2017

I have heard learned counsel for the petitioners as well as learned State counsel and have gone through the record.

From the record, I find that firstly, it is a case of version and cross-version and it is yet to be determined by the trial Court on the basis of evidence as to who is the aggressor party. Secondly, none of the petitioners has been attributed any injury.

In pursuance of the interim order dated 21.08.2017 passed by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. Therefore, no useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 21.08.2017, granting interim bail to the petitioners, is made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

04.10.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

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