

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

CRM No.M-3057 of 2017 (O&M)
Date of Decision: February 15, 2017

Jaspal Singh alias Juj and another

...Petitioners

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Rishu Mahajan, Advocate
for the petitioners.

Mr.Deep Singh, Asstt. Advocate General, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioners have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.39 dated 04.04.2014 under Sections 324, 452, 148 and 149 IPC (Section 326 IPC added later on), registered at Police Station Majitha, Amritsar.

Notice of motion was issued and learned State counsel appeared and contested the petition.

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

Police record is also available.

From the record, I find that the investigation in this case is going on for the last about 2 years 10 months. As per the prosecution

version, petitioner Jaspal Singh @ Juj has been attributed only *lalkara* whereas petitioner Malkit Singh is stated to have been armed with *khirsch* and two simple injuries are attributed to him. The grievous injury is on the head of the complainant, which is attributed to the co-accused.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find that the petitioners are not required for custodial interrogation or investigation. No useful purpose will be served by sending the petitioners to custody till the disposal of the case.

Therefore, finding merit in the present petition, the same is allowed. It is ordered that in the event of arrest, the petitioners be released on anticipatory bail subject to their furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

February 15, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No