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

**CRM-M-31015-2017
Date of Decision: 06.11.2017**

Jaswinder Singh and others

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Mansur Ali, Advocate,
for the petitioners.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

Mr. A.S. Manaise, Advocate,
for the complainant.

SUDIP AHLUWALIA J. (ORAL)

It is submitted by Ld. counsel for the petitioners that after passing of the initial interim order on 24.08.2017, petitioner No.3 has since been killed allegedly by the complainant himself on account of which FIR No.874 dated 12.09.2017 registered at Police Station Sekhwan, District Gurdaspur under Section 302 of the IPC and other related offences, has been lodged against the complainant and his accomplice, who are now absconding. In view of the above submission, let the name of petitioner No.3 be expunged from the Cause Title.

[2]. Seen the Case Diary.

[3]. There is a reference to injury No.6 suffered by the complainant as being “grievous in nature” on the basis of an X-Ray Report. But the said injury has itself been described as, “superficial cut is seen as TLI Sheft of Encircle L”.

[4]. Consequently, the nature of injury suffered becomes doubtful. In any case, admittedly Section 326 of the IPC was added subsequent to drawing up of the FIR.

[5]. In the given circumstances, custodial interrogation of the petitioners does not appear to be called for, at this stage.

[6]. As such, the interim bail granted to them earlier is, hereby, confirmed.

[7]. Disposed off.

06.11.2017

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes/No

2. Whether reportable: Yes/No