

CRM-M-32792-2017

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

CRM-M-32792-2017

Date of Decision: 15.09.2017

Harjinder Singh and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. S.S.Rangi, Advocate,
for the petitioners.

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab.

Mr. M.L.Saggar, Sr. Advocate with
Ms. Veenu Garg, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioners-Harjinder Singh and Mandeep Singh 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 case FIR No.78 dated 17.07.2016, registered at Police Station Sudhar, District Ludhiana, under Sections 307, 326, 324, 427, 148 and 149 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and complainant has also appeared through his counsel. They contested this petition.

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

As per learned State counsel, petitioner No.1-Harjinder Singh was stated to be armed with *gandasa* and caused simple injuries from its reverse side. Similarly, petitioner No.2-Mandeep Singh was stated to be armed with *kirch* and caused simple injury from its reverse side to the son of the complainant. No injury has been declared as dangerous to life in the present case, rather offence under Section 307 IPC has been added only on intention to kill the complainant.

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 that the petitioners are not required for custodial interrogation and, therefore, no useful purpose will be served by sending the petitioners to custody. 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 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.

15.09.2017

parveen kumar

(INDERJIT SINGH)
JUDGE

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