

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

CRM-M-42290-2017 (O&M)
Date of decision : 14.12.2017

Jagdev Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. H.S. Batth, Advocate for the petitioners.

Ms. Anju Arora, Addl.A.G., Punjab,
assisted by ASI Rajbir Singh.

Mr. Manuj Nagrath, Advocate for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The petitioners seek pre-arrest bail in DDR No.20 dated 26.08.2016, registered under Sections 452, 323, 324, 354 and 148 read with Section 149 of the Indian Penal Code (for short, 'the IPC') recorded in FIR No.59 dated 23.08.2016, registered under Sections 452, 323, 294, 506 and 148 read with Section 149 of the IPC, at P.S. Jodhan, District Ludhiana Rural.

Heard.

On 09.11.2017, the following order was passed:-

“Learned counsel contends that it is a case of version and cross version. The FIR under Section 452 IPC is prior in time and stands registered against the complainant.

Notice of motion for 14.12.2017.

The petitioners are directed to join the investigation.

Meanwhile, in the event of arrest of the petitioners by the Arresting Officer, they shall be released on interim bail subject to the following conditions:-

- 1. That they shall make themselves available for interrogation by a police officer as and when required;*
- 2. That they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*
- 3. That they shall not leave India without prior permission of the Court.”*

Learned counsel contends that the parties are immediate neighbours and the dispute is with regard to a common wall. Petitioner No.2-Sukhdev Singh also suffered injuries in the incident.

Learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioners have joined the investigation and they are not required for custodial interrogation.

Learned counsel for the complainant states that the petitioners are the aggressors and only alleged injuries suffered by petitioner No.2 are simple in nature.

Keeping in view the facts that it is case of version and cross version wherein petitioner No.2 also suffered injuries, the petitioners have joined the investigation and they are not required for custodial interrogation, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 09.12.2017, is made absolute, subject

to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

14.12.2017

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No