

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-43378 of 2016

Date of Decision: 27.02.2017

Charan Singh @ Gurcharan Singh and another

....Petitioners

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ashok Kumar Sama, Advocate
for the petitioners.

Mr. Jashanpreet Singh, A.A.G., Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No. 128 dated 02.07.2015 registered for offences punishable under Sections 326, 324, 323, 148 read with Section 149 of Indian Penal Code (for short 'IPC'), at Police Station Sadar Fazilka, District Fazilka.

Heard.

It was a cross-version case registered on the statement of Maya Bai vide DDR No. 43 dated 09.07.2015. The occurrence took place on 28.06.2015 and FIR on the complaint of Kishore Singh was registered against the complainant party of which Maya Bai was also a member. As per recital in the DDR no specific injury was attributed to petitioners.

Learned State counsel submits that petitioner no. 1-Charan Singh @ Gurcharan Singh has been attributed two *kapa* blows to Khushal Singh and petitioner no. 2-Satnam Singh has been attributed *kirpan* blow on Raj Rani and both the injuries were declared as grievous. In the FIR, there

is no description of injuries being caused by petitioners. It is a matter of investigation as to which party was aggressor and petitioners have already joined the investigation.

Without expressing any opinion on the merits of the case, this petition is allowed and order dated 05.12.2016 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that petitioners shall make themselves available for interrogation by the police as and when required;
- (ii) that petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that petitioners shall not leave India without the prior permission of the Court.
- (iv) that petitioners will seek regular bail on the presentation of challan in Court.

February 27, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No