

CRM-M-45391-2017

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

CRM-M-45391-2017

Date of Decision:21.12.2017

Jasbir Singh and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Rohit Joshi, Advocate for
Mr. Dheeraj Mahajan, Advocate,
for the petitioners.

Mr. Ayush Sarna, AAG, Punjab

INDERJIT SINGH, J. (Oral)

Petitioners-Jasbir Singh and Sunny alias Amritpal 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.84 dated 09.11.2017, registered at Police Station Bhaini Mian Khan, District Gurdaspur, under Sections 326, 324, 323 and 34 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 contested this petition.

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

From the record, I find that as per the prosecution version, only allegation against petitioner No.1-Jasbir Singh is that he raised *lalkara*.

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However, attribution qua petitioner No.2-Sunny alias Amritpal Singh is that he gave fist blows.

In pursuance of the interim order dated 29.11.2017 passed by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. Therefore, no useful purpose will be served by sending them to custody.

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 merit in this petition and the same is allowed. The order dated 29.11.2017, granting interim bail to the petitioners, is made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

21.12.2017

parveen kumar

(INDERJIT SINGH)
JUDGE

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