

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

CRM-M No.9260 of 2017
Date of decision: 24th March, 2017

Joginder Singh and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Neeraj Madaan, Advocate for the petitioners.
Mr. Gurinderjit Singh, Dy. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioners Joginder Singh and Bhan Singh alias Bhagwan Singh in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.254 dated 15.11.2014 registered at Police Station Guruharsahai, District Ferozepur under Sections 457/436/323/511/148/149 IPC, are that on 14.11.2014 during the course of matrimonial dispute between the petitioner side and complainant consisting of Paramjit Kaur and Baldev Singh etc. regarding which earlier an FIR under various provisions of cruelty and criminal breach of trust were got registered a fight has ensued whereby it is alleged that the accused side have forcibly trespassed into the house of the complainant and caused injuries.

Contentions of the learned counsel for the petitioners are that both the petitioners are in custody since 08.01.2017 and that it was a case of version and cross-version as from the petitioner side also Mohinder Singh has received injuries, thus a debatable issue having arisen. The factual scenario could not be displaced by learned State counsel.

In the light of submissions made by learned counsel for the petitioners and the fact that a debatable issue as to who is the aggressor has arisen, the trial will take a long time to conclude, this Court is of the opinion that further detention of the petitioners in the present case is unwarranted. Accordingly, they are ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Ferozepur.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

March 24, 2017

rps

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No