

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

1. CRM No. M- 9999 of 2017 (O&M) Date of Decision: 30.03.2017

Kawaljit Singh

--Petitioner

Versus

State of Punjab

--Respondent

2. CRM No. M- 10025 of 2017 (O&M)

Simarjit Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Amit Arora, Advocate for the petitioners.

Ms. Harpreet K. Athwal, DAG, Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of CRM No. M-9999 of 2017 (Kawaljit Singh Vs. State of Punjab) and CRM No. M-10025 of 2017 (Simarjit Singh Vs. State of Punjab) as both these petitions have been filed under Section 439 Cr.P.C seeking benefit of regular bail to the petitioners in case F.I.R. No.21 dated 4.2.2017 under sections 307, 323, 188, 148, 149 I.P.C and sections 25, 27, 54, 59 of Arms Act, registered at Police Station, Jhabhal, District Tarn Taran.

FIR came to be registered on the statement of Jagjit Singh in relation to an occurrence that took place on 4.2.2017.

It has gone uncontroverted that the main accused in the case is Dessa Singh, who has been attributed a fire arm injury on the right leg of the complainant below the knee.

In so far as the petitioners in these two connected petitions are concerned, their names do not figure in the FIR. They are sought to be implicated on the disclosure statement of main accused Dessa Singh and as

per which they were present at the place of occurrence and were part of the

unlawful assembly.

The petitioners herein were arrested on 4.2.2017.

Co-accused Harjit Singh, who was attributed a *Datar* blow on the left arm of the complainant has been granted *ad interim* protection as regards arrest by this Court. Even Malkeet Singh, who had been attributed a simple injury with the aid of a blunt weapon, had been granted interim protection.

Even though, the matter is stated to be still under investigation, in the considered view of this Court the petitioners are entitled to the benefit of bail as no case has been made out on behalf of the State that, if, such benefit is granted to the petitioners herein, they would be in a position to interfere and hamper the course of a free and fair investigation.

Without making any observations on merits, both the petitions are allowed. Petitioners be enlarged on bail subject to satisfaction of C.J.M./Duty Magistrate, Tarn Taran.

Petitions disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

30.03.2017

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Whether speaking/reasoned:	Yes
Whether Reportable:	No