

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

CRM-M-11357-2018(O&M)

Date of Decision: 04.04.2018

Daljit & another

--Petitioners

Versus

State of Punjab and another

--Respondents

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

Present:- Mr. Navjot Singh, Advocate for the petitioners.

Mr. S.S. Sandhu, A.A.G., Punjab.

Mr. Ritesh Pandey, Advocate for the complainant.

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**TEJINDER SINGH DHINDSA.J (Oral)**

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioners in case F.I.R. No.24 dated 15.2.2018 under sections 452, 323, 324, 326, 148, 149, 427, 506 I.P.C, registered at Police Station, Fatehgarh Churian, District Gurdaspur.

On 16.3.2018, while issuing notice of motion, the following order was passed by this Court:-

*“Petitioners seek concession of pre-arrest bail in case FIR No.24 dated 15.02.2018, registered under Sections 452, 323, 324, 326, 148, 149, 427, 506 IPC, at Police Station Fatehgarh Churian, District Gurdaspur.*

*FIR came to be registered on the statement of Jaspal Singh in relation to alleged occurrence dated 14.02.2018. Injured are stated to be the complainant himself as also his brother Jagjit Singh . The injury suffered by complainant Jaspal Singh on his left leg which has attracted offence under Section 326 IPC is specifically attributed to Himmat Singh (co-accused) non-applicant on account of*

having given 'Datter' blow.

*Both the petitioners were stated to be empty handed. Even though, petitioner No.1 is stated to have dragged the complainant by his hairs and petitioner No.2 thereafter, is stated to have inflicted 'Danda' blows.*

*Notice of motion returnable for 04.04.2018.*

*In the meanwhile, petitioners are directed to join the investigation and if they are sought to be arrested, they shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 sub Section 2 Clause (i) (ii) and (iii) of the Code of Criminal Procedure.”*

Learned State counsel upon instructions from ASI Jhirmal Singh would apprise the Court that the petitioners have since joined investigation. That apart, observations made in the notice of motion order have gone unrebutted by learned State counsel as also counsel appearing for the complainant.

In the considered view of this Court, custodial interrogation of the petitioner, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 16.3.2018, passed by this Court, is made absolute.

Petition disposed of.

**(TEJINDER SINGH DHINDSA)**  
**JUDGE**

**04.04.2018**  
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Whether speaking/reasoned: Yes/No  
Whether Reportable: Yes/No