

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

**CRM-M-1295-2018 (O&M)
Date of Decision: 23.4.2018**

Bansi Ram and others

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Rakesh Gupta, Advocate
for the petitioners.

Ms. Rajni Gupta, Sr. DAG, Punjab.

Mr. Shubhashish Kukreti and Mr. Deepak Verma, Advocates,
for the complainant.

RAJ SHEKHAR ATTRI, 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.67 dated 23.7.2017 registered for the offences punishable under Sections 323, 324, 341, 506 of Indian Penal Code and Section 307 of IPC added later on, at Police Station Banur, District Patiala.

Heard.

The allegation against the petitioners is that on 21.7.2017 at about 6:00 p.m., he was surrounded by all the petitioners including Gurmeet Singh alias Gurmeet Ram. At that time, Bansi Lal petitioner caught hold of the complainant from arms while his wife Kamalo and his daughter-in-law

Sukhwinder Kaur started giving slaps and fist blows and that in the meanwhile, Gurmeet Singh alias Gurmeet Ram had given a blow from the knife in the chest of the petitioner.

A bare perusal of the FIR transpires that Bansi Lal aged 79 years and his wife aged 70 years and his daughter-in-law aged 34 years have no knowledge if Gurmeet Singh alias Gurmeet Ram suddenly gave a dagger blow. Liability of the petitioners qua Section 307 IPC is debatable.

Without expressing any opinion on the merits of the case, this petition is allowed and the order dated 15.1.2018 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioners shall make themselves available for interrogation by the police as and when required;
- (ii) that the 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 them from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioners shall not leave India without the prior permission of the trial Court.
- (iv) that the petitioners will seek regular bail on the presentation of challan in Court.

April 23, 2018
Paritosh Kumar

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No