

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

CRM-M-19463-2018 (O&M)

Date of Decision:- 31.7.2018

Gurdev Raj and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. A.P.S.Rehan, Advocate, for the petitioners.

Ms. Ruchika Sabbharwal, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

The petitioners seek grant of anticipatory bail in respect of a case registered against them vide FIR No.26 dated 16.4.2018, under Sections 353, 186, 332, 224, 225, 342, 309, 511 of IPC, Police Station Purana Shalla, District Gurdaspur.

The allegations, in nutshell are that on the day of occurrence when complainant SI Kirandeep Kaur who had been assigned a duty to arrest Rachna Kumari, Rishi Kapoor, Asha Rani, Gurdev Raj and Amrik Singh as per warrants issued by learned Chief Judicial Magistrate, Gurdaspur went along with police party to execute the warrants, accused Gurdev Raj and Rachna were present at their house who started misbehaving with the police party. Ashok Kumar is alleged to have instigated others and he alongwith Rachana Kumari tore the uniform of SI Kirandeep Kaur. It is alleged that Asha Rani caught hold of ASI Jagjit Singh from collar of his uniform and

started scuffling with him and in the meantime Rachna Kumari took a “karad” (small knife) and gave blow upon ASI Jagjit Singh hitting him on finger of his right hand. It is alleged that Rachna Kumari gave another blow with the aforesaid knife on his left thumb. Sapna, sister of Rachna Kumari is alleged to have closed the main door of the house so as to confine the police party in the house. It is further alleged that Rachna Kumari inflicted an injury with knife on herself, cutting vein of her left hand and threatened the police party that she would commit suicide and that the police party would be held responsible for the same.

While issuing notice of motion, the petitioners had been granted interim bail and had been directed to join investigation.

It has been informed by learned State counsel, upon instructions from SI Tara Singh, that the petitioners have since joined the investigation. It has also been informed that remaining three accused have already been granted regular bail.

Having regard to the facts and circumstances of the case, in my opinion it is not a case of custodial interrogation. The petition is as such accepted and interim directions issued vide order dated 8.5.2018 are made absolute subject to the condition that the petitioners would appear before the learned trial Court regularly and abide by any other condition as may be imposed by the learned trial Court.

The petition is accepted in the abovementioned terms.

July 31, 2018

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No