

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

Criminal Misc. No.M-28568 of 2017(O&M)

Date of Decision: April 18, 2018.

Ravi and others

Petitioners.

Versus

State of Punjab

Respondent

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. S.K.Virk, Advocate
for the petitioner.

Ms. Seena Mand, DAG, Punjab.

LISA GILL, J.

Petitioners seek the concession of anticipatory bail in FIR No.28 dated 18.03.2017, under Sections 354-B, 452, 341, 148, 149, 506 IPC, registered at Police Station Sadar Phagwara, District Kapurthala.

It is contended that the petitioners have been falsely implicated in this case. In-fact, the complainant side had trespassed into the house of petitioners no.1 and 2 on 15.03.2017 at about 5.30.p.m. Mother of the said petitioners as well as their brother received injuries. Their medico legal examination was conducted on 15.03.2017 at 06.20/06.25 p.m. itself. However, the present FIR was lodged at the instance of the complainant on 18.03.2017 in respect to the alleged incident which had taken place on 15.03.2017. It is pointed out that the complainant, her mother and brother were never inflicted any injuries by the present petitioners. It is apparent from the fact that their medico legal examination was conducted much later at 08.30/08.45.p.m. It is urged that the present is a case of version and cross-version. Moreover, the petitioners have joined investigation. They undertake to face the proceedings and not abuse the concession of anticipatory bail, if confirmed. It is thus

prayed that this petition be allowed.

Learned counsel for the State on instructions from ASI Daya Chand had earlier submitted that petitioners no.1 and 3 are involved in number of other matters. However, it is not denied that the petitioners stand acquitted in all the said cases. On instructions from HC Jarnail Singh, it is verified that the petitioners have joined investigation.

There are no allegations on behalf of the State that the petitioners are likely to abscond or that they are likely to dissuade the witnesses from deposing true facts in the Court, if released on anticipatory bail.

Keeping in view the facts and circumstances as above, but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 08.08.2017, is made absolute.

It is made clear that petitioners shall not attempt to contact the complainant/witnesses etc. in any manner directly or indirectly. Any such infraction shall entail cancellation of bail afforded to them.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

18.04.2018
s.khan

[LISA GILL]
Judge

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No.