

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

CRM-M-36498-2017 (O&M)

Date of decision: 29.01.2018

Jugraj Singh & another

... Petitioners

Vs.

State of Punjab

... Respondent

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

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

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioners in case FIR No.125, dated 12.07.2017, under Sections 324/336/506/148/149 IPC (Section 326 IPC added later on) and Sections 25/27 of the Arms Act, registered at Police Station Sadar Tarn Taran, District Tarn Taran

It may be noted at the very outset that the prayer for grant of anticipatory bail to petitioner No.1, Jugraj Singh already stood declined by this Court in terms of order dated 07.11.2017.

Accordingly, the instant petition qua petitioner No.1 stands dismissed and survives only qua petitioner No.2, namely, Jodhbir Singh.

On 07.11.2017, the following order was passed by this Court:

“Heard.

Learned State counsel submits that petitioner No.1 has been attributed grievous injury on the person of complainant while petitioner No.2 Jodhbir has been attributed simple injury caused by sharp edged weapon. The fire-arm injury has been attributed to an unidentified person and Investigating Officer is trying to know the identity of that person.

In view of the above submission, petitioner No.2 is directed to surrender before the police and join investigation within two weeks. In the event of his arrest being required, he shall be released on interim bail till the next date, subject to his furnishing bonds to the satisfaction of Arresting Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. failing which he shall lose the benefit of interim bail allowed to him.

Jugraj Singh has been attributed grievous injury on the person of complainant. Recovery of weapon is to be effected from him and his custodial interrogation is required, as such, I find no reason to exercise discretionary power of this court to extend the benefit of pre-arrest bail in his favour. Petition to this extent is declined.

List on 29.01.2018.”

During the course of hearing today, learned State counsel upon instructions from HC Ranjit Singh apprises the Court that petitioner No.2, Jodhbir Singh has joined investigation. It has also not been disputed that the injury attributed to petitioner No.2 has been opined to be simple in nature.

In view of the above, prayer made in the instant petition seeking concession of pre-arrest bail to petitioner No.2, Jodhbir Singh is accepted.

Petition is allowed. Order dated 07.11.2017 passed by this Court is made absolute.

Disposed of.

29.01.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |