

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

**CRM-M No.38173 of 2017 (O&M)  
Decided on: 13.09.2018**

Sukwinder Singh and another

....Petitioners

Versus

State of Haryana

....Respondent

**CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN**

**Present :** Mr. J.S. Bedi, Sr. Advocate  
with Mr. S.S. Brar, Advocate  
for the petitioners.

Mr. Naveen Sheoran, DAG, Haryana.

Mr. Ashit Malik, Advocate  
for the complainant.

**ARVIND SINGH SANGWAN, J. (Oral)**

The petitioners pray for grant of anticipatory bail in FIR  
DDR No.03 dated 10.06.2017 recorded in FIR No.212 dated  
08.06.2017 registered under Sections 148, 149, 323, 341, 307 Indian  
Penal Code (in short 'IPC') and 25/54/59 of the Arms Act at Police  
Station Kurukshetra University, Kurukshetra.

The operative part of the order dated 11.10.2017, vide  
which interim anticipatory bail has been granted to the petitioners, is  
reproduced as under:-

*“....Counsel for the petitioners has submitted that on the statement of petitioner No.1 – Sukhwinder Singh, the FIR No.212 dated 08.06.2017 was recorded immediately after the occurrence on 08.06.2017 itself whereas the cross-version was recorded on 10.06.2017. It is further submitted that as per the MLRs of petitioner No.1 – Sukhwinder Singh and petitioner No.2 – Ashok, they have also received gun shot injuries in the incident and on the basis of the same, the aforesaid FIR under Section 307 IPC was registered against the accused persons.*

*Counsel for the petitioners has further submitted that the cross-version has been registered on the statement of Hardial @ Dayala and as per the medico legal report of Hardial @ Dayala, the injuries were stated to be blunt in nature. Counsel for the petitioners has further submitted that this is a case of version and cross-version, therefore, it is to be seen only during the course of trial which party was aggressor and which party acted in defence.*

*Notice of motion for 07.12.2017....”*

Learned Senior counsel for the petitioners has submitted that the petitioners have already joined the investigation, in pursuance to the order dated 11.10.2017 and the subsequent orders passed on the request of counsel for the State, directing the petitioners to re-join the investigation and the weapon of offence has already been recovered.

Counsel for the State, on instructions from SI Karam Singh, has not disputed the aforesaid fact and submits that the petitioners are no more required for further investigation. It is further submitted that the petitioners have already been acquitted in other FIRs.

In view of the above, this petition is allowed and the interim bail granted to the petitioners vide order dated 11.10.2017 is

CRM-M No.38173 of 2017 (O&M)3

made absolute subject to the conditions envisaged under Section 438(2)

Cr.P.C.

(ARVIND SINGH SANGWAN)

JUDGE

13.09.2018

yakub

Whether speaking/reasonedYes/No

Whether reportable:Yes/No