

(1)

CRM-M-41748-2018 (O&M)

CRM-M-41781-2018 (O&M)

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

(1)

CRM-M-41748-2018 (O&M)

Date of Decision:-1.11.2018

Sucha Singh @ Khula and another

... Petitioners

Versus

State of Punjab

... Respondent

(2)

CRM-M-41781-2018 (O&M)

Gurwinder Singh @ Harvinder Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Mohd. Yousaf, Advocate for the petitioner(s).

Ms. Ruchika Sabherwal, Assistant Advocate General, Punjab.

GURVINDER SINGH GILL, J.(Oral)

This order shall dispose of the above mentioned two petitions filed on behalf of the petitioners seeking grant of anticipatory bail in respect of a cross-version registered against them vide DDR No.26 dated 18.11.2015 under Section 323, 324, 326, 336, 435, 148 and 149 of Indian Penal Code, 1860 and Section 25/27/54/59 of Arms Act in FIR No.68 dated 18.11.2015 registered under Section 447, 511, 427, 336, 148, 149 and 506 of Indian

Penal Code, 1860 and Section 27 of Arms Act at Police Station Mulepur, District Fatehgarh Sahib.

The aforesaid DDR had been registered on the statement of complainant Mangal Singh. The allegations in nut-shell are that on the day of occurrence, when the complainant Mangal Singh, Bhinder Singh, Karam Singh and Ananta Kumar were present on the land of 'Dera' the accused namely Khula Singh armed with '*Kirpan*', Balwinder Singh armed with iron '*Datt*', Jasvir Singh armed with '*Kirpan*', Gurtar Singh armed with rod, Harwinder Singh armed with rod, Parkash Singh and Amar Nath armed with rods had attacked them.

While no injury is attributed to the petitioner Gurwinder Singh @ Harvinder Singh, the petitioner Sucha Singh @ Khula is alleged to have given a '*Kirpan*' blow to Mangal Singh on his head and the petitioner Jasvir Singh is alleged to have given a '*Kirpan*' blow on the shoulder of the complainant. However, none of the said injuries is stated to be a 'grievous injury'.

The learned State counsel has informed that the grievous injury had been caused by accused co-accused Balwinder Singh, who has already been released on regular bail.

It has also been informed by learned counsel for the petitioners that out of the total 14 petitioners, all others have since been released on bail.

Having regared to the facts and circumstances of the case and bearing in mind the fact that none of the petitioners is attributed any 'grievous injury' and also that the present case is a case of cross-version, in

my opinion, it is a fit case for grant of anticipatory bail to the petitioners. The petitions, as such, are accepted. In the event of arrest, the petitioners be released on interim bail subject to their furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

The present petitions stand accepted accordingly.

1.11.2018
pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No