

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

CRM-M-42629-2017
Date of decision: 15.10.2018

Manpreet Singh and others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. G. S. Madaan, Advocate
for the petitioners.

Mr. M. S. Nagra, AAG, Punjab.

Mr. Harjinder Singh, Advocate for
Mr. R. S. Athwal, Advocate
for the complainant..

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No. 107 dated 18.10.2017, under Sections 325, 323, 427, 452, 148 and 149 of the IPC, registered at Police Station Kathgarh, District S.B.S. Nagar.

The operative part of the order dated 01.12.2017, vide which petitioner Nos. 2 to 5 have been granted interim bail, is reproduced below:

“Learned counsel for the petitioners contends that allegations against the petitioners are that they have caused injuries to Manvir Singh-complainant and his father Kuldeep Singh. He further states that all the other injuries are simple in nature, except one injury on the right shoulder of father of the complainant. It is mentioned in the FIR that petitioner No.1 has caused a datar blow on the head of complainant, while other accused have caused injuries with dandas. Petitioner No.1 was armed with a datar and had given a blow on

the head of complainant, the dimensions of which, as described in the medico-legal report, are reproduced hereunder :-

“1) Lacerated wound of size 5 cm x 1 cm x 0.5 cm on frontal region right scalp, wound is just above the hair line just towards a right frontal region. Fresh bleeding present. C/o pain over the area. Advised x-ray skull frontal region.”

In view of the allegation of serious injury on the head of the complainant with datar, no ground for grant of anticipatory bail to petitioner No.1-Manpreet Singh is made out. Consequently, the petition qua petitioner No.1 stands dismissed. Petitioners No.2 to 5 are stated to be armed with dandas and injuries attributed to them are on the non-vital parts of the body. Issue notice to the respondent. At the asking of Court, Mr. Sandeep Vermani, Additional Advocate General, Punjab, accepts notice on behalf of the respondent. A complete set of paper-book be supplied to him during the course of day. List on 16.01.2018. In the meantime, petitioners No.2 to 5 are directed to appear before the Investigating Officer and join the investigation.”

Learned counsel for the petitioners submits that in pursuance to the order dated 01.12.2017, petitioner Nos. 2 to 5 have already appeared before the SHO/Investigating Officer and have joined the investigation.

Learned counsel for the State, on instructions from ASI Jarnail Singh, assisted by learned counsel for the complainant, has not disputed the factual position and submits that petitioner Nos. 2 to 5 have joined the investigation and are no more required for any further investigation. He further submitted that challan stands presented and Section 452 IPC has been deleted. This fact is not disputed by learned counsel for the

complainant

In view of the above, the petition is allowed and the interim bail granted to petitioner Nos. 2 to 5, vide order dated 01.12.2017, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

October 15, 2018

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No