

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

CRM No.M-44444 of 2017 (O&M)

Date of Decision: July 11, 2018

Surjit Singh and another

...Petitioners

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Kanwaljit Singh, Senior Advocate with
Mr.Sarthak Gupta, Advocate
for the petitioners.

Mr.Pawan Sharda, Sr. DAG, Punjab
for the respondent-State.

Complainant-in-person with
Mr.Ritesh Pandey, Advocate.

INDERJIT SINGH, J.

CRM No.23168 of 2018

The application is allowed. Annexure P-11 is taken on record,
subject to all just exceptions.

CRM No.M-44444 of 2017

Petitioners have filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.171 dated 16.10.2017 under
Sections 452, 323, 324 and 34 IPC (Section 326 IPC added later on),
registered at Police Station City Gurdaspur.

Notice of motion was issued and learned State counsel as well

as complainant-in-person along with his counsel appeared and contested the petition.

I have heard learned counsel for the parties, complainant-in-person as well as learned State counsel and have gone through the record.

From the record, I find that petitioners have already joined the investigation and they are not required for custodial interrogation. Secondly, cancellation report has been prepared by the police. Learned State counsel also submitted that they are going to file the cancellation report in the present case. Rather, copy of cancellation report has also been placed on file today, which shows that present petitioners are not required for custodial interrogation. The FIR was earlier registered under Sections 452, 323, 324 and 34 IPC and later on, Section 326 IPC was added. Prima facie, it looks that it is a case of matrimonial dispute between husband and wife and present petitioners are relatives of wife, who stated to have entered into the house and gave beatings to complainant.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where petitioners are entitled to benefit of grant of anticipatory bail. Therefore, the present petition is accepted and the order dated 22.11.2017 granting interim bail to the petitioners, is made absolute.

July 11, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No