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

**Date of decision: January 08, 2018
CRM-M-45068 of 2017**

Amrik Singh and another

.....Petitioners

Versus

State of Haryana

.....Respondent

CRM-M-30779 of 2017

Parminder Singh and another

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Ravi Malhotra, Advocate the petitioners.

Mr. Vivek Saini, DAG Haryana.

A.B. CHAUDHARI, J (Oral)

Notice of motion to respondent-State in CRM-M-45068 of
2017.

At the asking of the Court, Mr. Vivek Saini, DAG Haryana
accepts notice on behalf of the State.

By this common order, above said both the petitions would
be disposed of.

Heard learned counsel for the rival parties.

Learned counsel for the petitioners submits that petitioner
No.2-Surjeet Singh (in CRM-M-30779 of 2017) has expired.

Hence, proceedings qua petitioner No.2-Surjeet Singh

stands abated.

This Court had granted anticipatory bail to all the petitioners in FIR No.119 dated 01.03.2017, under Sections 148, 149, 323, 506 of Indian Penal Code, 1860 (for short 'IPC') (Sections 452, 325 IPC added later on), registered at Police Station Pehowa, District Kurukshetra, vide orders dated 17.05.2017 (in CRM-M-15051 of 2017) and dated 31.07.2017 (in CRM-M-18457 of 2017).

In these two petitions, petitioners seek anticipatory bail again in the same FIR because of addition of Section 307 IPC. According to the prosecution, the victim was admitted to Hospital on 27.02.2017 and was discharged on 11.03.2017. The injuries caused to the victim because of fractures on the head. Upon perusal of FIR, it clearly appears that Manjit Singh and Amrik Singh caused head injuries resulting into fractures to the victim. Since the victim was required to be hospitalized, he must have spent money for treatment. Since the petitioners have already joined investigation, and no recovery is required to be made, there is no point in refusing the grant of anticipatory bail to them, but then the victim must be reimbursed the hospital charges.

Learned counsel for the petitioners, on instructions from the petitioners made a categorical statement that Manjit Singh and Amrik Singh shall pay ₹15,000/- each by way of demand draft in the name of victim-Resham Singh within a period of 4 weeks from today.

Learned counsel for the petitioners submits that Manjit

Singh has already been granted anticipatory bail for newly added offence under Section 307 IPC also, vide order dated 25.09.2017 (in CRM-M-28784 of 2017).

In that view of the matter, both these petitions are allowed. Petitioners are ordered to be released on anticipatory bail in FIR in question for offence under Section 307 IPC also to the satisfaction of the learned trial Court concerned, subject to Manjit Singh and Amrik Singh paying ₹15,000/- each by way of demand draft in the name of victim-Resham Singh within a period of 4 weeks from today, delivering the same to victim-Resham Singh through police officer concerned. It is made clear that if the said amount is not paid to victim-Resham Singh as above, the police shall be entitled to arrest the petitioners.

(A.B. CHAUDHARI)
JUDGE

January 08, 2018

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No