

**CRM-2660-2018 in/and
CRM-M-45786-2017**

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

**CRM-2660-2018 in/and
CRM-M-45786-2017
Date of Decision: 19.02.2018**

Balwinder Singh @ Bhagti and another

.....Petitioners

Vs.

State of Haryana

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Jasminder Singh Thind, Advocate,
for the petitioners.

Mr. Baljinder Singh Virk, D.A.G., Haryana.

Mr. Ranjan Lakhanpal, Advocate,
for the complainant.

AMOL RATTAN SINGH, J. (ORAL)

CRM-2660-2018

By this application, correction of the name of applicant-petitioner no. 1 is sought, to the extent that it is stated his name is Balwant Singh @ Bhagti instead of Balwinder Singh @ Bhagti.

Notice in the application.

On the asking of the Court, Mr. Baljinder Singh Virk, D.A.G., Haryana, accepts notice on behalf of non-applicant/State.

Learned counsel for the State submits that even in the FIR, the name of the applicant-petitioner no. 1 was mentioned as Balwant Singh @ Bhagti.

Consequently, the application is allowed and the name of applicant-petitioner no. 1 be taken as Balwant Singh @ Bhagti instead of Balwinder Singh

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Nitin
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integrity of this document

@ Bhagti.

Registry is directed to carry out the necessary correction in the memo of parties.

CRM-M-45786-2017

An affidavit of the Superintendent of Police, Fatehabad, has been filed in Court today by learned State counsel, pursuant to the last order of this Court, in which it has been stated that the petitioners and those on their side have been found in the investigation carried out so far, to be the “aggressor party” and that there are two others FIRs registered against the applicant-petitioner no. 1, Balwant Singh alias Bhagti, and two different FIRs against petitioner no. 2 Sukhdev Singh alias Kali.

There are no FIRs stated to be registered against those on the complainant side.

Learned counsel for the petitioners submits that the father of the petitioners has also received a head injury, whereas the injury received on the side of the complainants are on the fingers, including a grievous injury.

Mr. Lakhanpal, learned counsel for the complainant submits that the petitioners, in view of their antecedents and the fact that they have been shown to be the aggressor party even as per the investigation carried out so far, do not deserve the concession of anticipatory bail.

Though I otherwise do not disagree with this contention, however, as learned counsel for the State submits that the weapons alleged to have been used have also been recovered from the petitioners, therefore, looking at the injuries on both side, the petition is allowed and the interim order dated 19.02.2018 is made absolute, on the same terms and conditions.

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It is made clear that all the observations made hereinabove are obviously in the context of the present petition seeking anticipatory bail to the petitioners and will have no bearing whatsoever, either on the merits of the investigation, or the trial (if it comes to that stage), either for or against the petitioners, with naturally both proceedings (investigation and trial) to proceed wholly on the merits of the evidence gathered and led.

February 19, 2018
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.