IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-49646-2017 (O&M)
Date of decision:14.02.2018

Jasraj Singh @ Jagga @ Yugraj Singh & others ... Petitioners

Vs.

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Inder Pal Singh, Advocate for the petitioners.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioners in case FIR No.23, dated 23.03.2016, under Sections 326/323/427/379/506/148/149 IPC, registered at Police Station Khemkaran, District Tarn Taran.

Notice of motion was issued in the instant petition on 09.01.2018 in the following terms:

> *"The instant petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioners in case FIR No.23, dated 23.03.2016, under Sections 326/323//427/379/506/148/149 IPC, registered at Police Station Khemkaran, District Tarn Taran.*
>
> *Counsel submits that the FIR came to be registered on the statement of Baaj Singh s/o Roop Singh in relation to an alleged occurrence that took place on 01.03.2016. Counsel argues that even though the present petitioners are stated to be present at the spot and armed with a kirpan, datar and kappa but no injuries have been attributed to them. Further contended that the injury suffered by the complainant Baaj*

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Singh on his left arm and which has attracted offence under Section 326 IPC is specifically attributed to Jaimal Singh, co-accused, who had allegedly delivered a kirpan blow has been granted the benefit of regular bail by this Court vide order dated 21.10.2016 in CRM-M-27015-2016.

Notice of motion, returnable for 14.02.2018.

In the meanwhile, petitioners are directed to appear before the Investigating Officer and to join investigation.

In the event of arrest, the petitioners shall be released on interim bail subject to satisfaction of the Arresting/Investigating Officer. The petitioners shall join investigation as and when called upon to do so and they shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C."

Learned State counsel upon instructions from HC Kulbir Singh informs the Court that the petitioners have since joined investigation.

That apart, the observations made by this Court in the notice of motion order have gone uncontroverted.

In view of the above, custodial interrogation of the petitioners would not be warranted.

Petition is allowed. Order dated 09.01.2018 passed by this Court is made absolute.

14.02.2018 **(TEJINDER SINGH DHINDSA)**
harjeet **JUDGE**

i) Whether speaking/reasoned? Yes/No

ii) Whether reportable? Yes/No

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