

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

CRM-M No. 18276 of 2019
Date of decision : May 09, 2019

Jagbir Singh and another

..... Petitioners

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Veneet Sharma, Advocate
for the petitioners.

Ms. Amarjit Kaur Khurana, DAG Punjab

Ajay Tewari, J (Oral)

The petitioners seek grant of anticipatory bail in cross case bearing Rapat No.28, dated 23.2.2019 under Sections 323, 324, 148, 149, 326 of the IPC in case FIR No.20, dated 21.2.2019, registered under Sections 336, 506, 34 of the IPC and Sections 25, 27 of the Arms Act, at Police Station Kathu Nangal, Amritsar Rural, District Amritsar.

Counsel for the petitioners has argued that firstly no injury has been attributed to the petitioners under Section 326 of the IPC, and secondly invocation of Section 326 of the IPC is wrong because at the contemporaneous stage, the doctor had stated that he was doubtful about this injury and after 20 days he had declared it to be grievous in nature.

Counsel has further argued that the petitioners had lodged the FIR earlier and after three days the cross version was lodged.

Learned DAG Punjab, on instructions from ASI Rachhpal Singh, has accepted these factual assertions.

In these circumstances, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioners. Resultantly, this petition is allowed and it is directed that in the event of their arrest, the petitioners shall be released on anticipatory bail by the Investigating Officer to his satisfaction subject to the compliance of the provisions as contained in Section 438(2) of the Cr.P.C.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

May 09, 2019
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No