

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

**CRM-M No.52757 of 2019 (O&M)
Decided on: 13.12.2019**

Paramjeet @ Parmi and another

....Petitioners

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. S.S. Sahu, Advocate
for the petitioners.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No.283 dated 22.10.2019, registered under Sections 148, 149, 323, 324, 506 of the Indian Penal Code, 1860 (in short 'IPC') (Section 3 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act added later) at Police Station City Ratia, Tehsil Ratia, District Fatehabad.

Counsel for the petitioners has argued that after registration of the FIR, the police has deleted Section 307 IPC on the basis of the opinion given by the Board of Doctors. It is further submitted that injury attributing Section 325 IPC, which is declared to be inflicted with a sharp edged weapon is attributed to petitioner No.1 – Paramjeet @ Parmi, therefore, he may be permitted to withdraw this petition *qua* petitioner No.1 – Paramjeet @ Parmi with liberty to petitioner No.1 to surrender before the trial Court and the trial Court be directed to decide the regular bail application of the petitioner No.1 –

Paramjeet @ Parmi, expeditiously.

Dismissed as withdrawn *qua* petitioner No.1 only with liberty aforesaid.

Counsel for the petitioners on behalf of petitioner No.2 has argued that there is no direct allegation against petitioner No.2 regarding causing of any injury or calling the complainant by his name and submit that it will be a debatable issue to be decided during the course of trial as to whether Section 3 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, can be invoked in the present case or not.

Counsel for the State, on instructions from ASI Karambir Singh, has not disputed the factual position but opposed the prayer for bail.

In view of the above, the present petition is allowed *qua* petitioner No.2 only i.e. Gurbachan Singh @ Laddi and he is directed to appear before the Investigating Officer within a period of 10 days from today to join investigation and he shall be released on interim bail on furnishing bail/surety bonds subject to the following conditions:-

1. *He shall make himself available for interrogation by a police officer as and when required;*
2. *He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and*
3. *He shall not leave India without previous permission of the Court.*

However, it will be open for the Investigating Officer to

call the petitioner No.2 – Gurbachan Singh @ Laddi, to join the investigation by giving an advance notice to him in writing.

In case the petitioner No.1 namely Paramjeet @ Parmi, surrenders before the trial Court within a period of 01 week from today and apply for regular bail, the trial Court will dispose of the regular bail application of the petitioner within a period of 03 days thereafter.

13.12.2019

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(ARVIND SINGH SANGWAN)

JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No