

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

CRM-M-53296-2018 (O&M)
Date of decision:29.01.2019

Balwinder Singh and another

....Petitioners

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Karan Garg, Advocate
for the petitioner.

Ms. Simranjeet Kaur, AAG, Punjab.

Mr. Tejinder Pal Singh, Advocate
for the complainant.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioners seek grant of anticipatory bail in respect of protest petition against cancellation report filed in FIR No.48 dated 25.02.2014 registered under Sections 364, 506, 34 of Indian Penal Code, 1860 and Sections 25 and 27 of Arms Act, 1959, Police Station Civil Lines, District Patiala.
2. The FIR was lodged at the instance of Jagmel Singh, wherein it has been alleged that on the day of occurrence he along with Tarsem Pal, after loading waste of animals (blood, urine etc.) from Mira Factory, Lalru in a truck was proceeding to dispose of the same, but after they had covered some distance a car bearing No.HR-01X-7037 came from opposite side in which Balwinder Singh and Gurcharan Singh @ Kala were sitting along with 2/3 other vehicles and who stopped the car in

front of their truck. It is alleged that Balwinder Singh took out a revolver and pointed the same near complainant's ear and he along with Gurcharan Singh @ Kala overpowered Tarsem Pal and forced him to take the truck as per their directions. It has been alleged that the complainant was taken to Patiala.

3. Learned counsel for the petitioners has submitted that pursuant to directions issued by this Court, the petitioners have joined investigation.
4. Learned State counsel has informed that in fact the matter has been investigated by the police and that cancellation report has been filed.
5. Having considered rival contentions addressed before this Court and in view of the aforesaid position, in my opinion, it is a fit case for grant of anticipatory bail to the petitioners. Accordingly the petition is accepted and the interim directions issued vide dated 13.12.2018 by this Court are hereby made absolute subject to the condition that the petitioners would appear before Investigating Officer as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.
6. The petition is accepted in the above mentioned terms.

(GURVINDER SINGH GILL)
JUDGE

29.01.2019
Gaurav Sorot

Whether reasoned / speaking? **Yes / No**

Whether reportable? **Yes / No**