

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1325-2020

Date of Decision: 21.01.2020

Chandi Ram and another

.. Petitioners

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

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

Ms. Monika Jalota, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.167 dated 12.05.2019, under Sections 323/341/427/506/379-B IPC, registered at Police Station Phillaur, District Jalandhar (Rural). He apprehended his arrest at the hands of Police.

On 14.01.2020, notice of motion was issued.

Learned counsel for the petitioners contends that a cross version has also been set up on the statement of co-accused Akashdeep @ Akash for the offences under Sections 341/148/149/506 IPC. He submits that some of the accused persons, namely, Sunny, Sonu and Geeti, who were indicted in the case along with the petitioners have been declared innocent. He submits that though petitioner No.1-Chandi Ram was stated to be armed with sword, but no injury was caused by the said weapon and he had allegedly caused an injury on the forehead of the victim with a brick. According to him, no injury is attributed to co-accused Mangat Ram (petitioner No.2).

Learned State counsel on instructions from ASI Rajinder Pal Singh has submitted that petitioner Chandi Ram had caused injury on the forehead of the victim with the brick, however, the said injury is simple in nature, whereas petitioner No.2 Mangat Ram was empty handed and no injury has been attributed to him.

Considering the above background, but without meaning any expression of opinion on merits of the case, it is ordered that in the event of arrest of the petitioners by the Arresting Officer, they shall be released on bail subject to their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. They shall join investigation as and when called for by the Investigating Officer and would abide by the conditions enshrined under Section 438 (2) Cr.P.C.

The petition is allowed.

21.01.2020

Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No