

k IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of Decision: February 25, 2020

1. CRM-M-6528-2020

Amarjit Singh @ Goldy

...Petitioner

Versus

State of Punjab

...Respondent

2. CRM-M-6535-2020

Sulakhan Singh @ Lakhi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Manmeet Singh Rana, Advocate,
for the petitioners in both the cases.

Mr. Prabhjot Singh Walia, AAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This order of mine shall dispose of CRM-M-6528-2020 filed by petitioner-Amarjit Singh @ Goldy and CRM-M-6535-2020 of Sulakhan Singh @ Lakhi under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.32 dated 25.03.2019, under Sections 323, 506, 148, 149 and Section 326 IPC added later on, registered at Police Station, Mullanpur, District SAS Nagar. The petitioners apprehended their arrest at the hands of police.

Notice of motion in these cases was issued on 14.02.2020.

Learned counsel for the petitioner(s) contends that in the alleged occurrence, both the parties suffered injuries and Sandeep Singh, who had suffered an injury punishable under Section 326 IPC, got the cross-version recorded through DDR No.28 dated 01.04.2019 against Jasbir Singh, his son Paramjit Singh and others. Learned counsel further contends that petitioner Amarjit Singh @ Goldy was attributed a simple injury upon the person of Paramjit Singh with sword, whereas petitioner Sulakhan Singh @ Lakhi had caused simple injury on the person of Jasbir Singh with gandasi. According to him, in the given facts, the custodial interrogation of the petitioners may not be justified.

On the other hand, learned State counsel, who is assisted by HC Rakesh Kumar, does not dispute this fact that the injury caused by the petitioners were simple in nature and a cross-case also stands registered against complainant Jasbir Singh.

Considering the above background, but without meaning any expression of opinion on merits of the case, it is ordered that in the event of the 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. The petitioners shall join the investigation as and when called for by the Investigating Officer and would abide by the conditions as specified under Section 438(2) Cr.P.C.

Petitions are allowed.

February 25, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No