

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

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IN VIRTUAL COURT

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**CRM No. 10886 of 2020 in/and
CRM-M No. 12685 of 2020
Date of decision : 21.5.2020**

Kulwinder Singh @ Kinda and another **.....Petitioners**

Vs.

State of Punjab **.....Respondent**

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Navraj Singh, Advocate, for the applicant/petitioners

Rajbir Sehrawat, J. (Oral)

CRM No. 10886 of 2020 :

This is an application seeking exemption from filing of the Court fees.

For the reasons mentioned in the application, the same is allowed.

The petitioners are exempted from filing the Court fee.

Main case :

The present petition has been filed under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioners in case FIR No. 28 dated 17.4.2020, registered under Sections 354, 323, 148, 149, 188 IPC, at Police Station Mehna, District Moga.

It is contended by the counsel for the petitioners that the case against the petitioners is totally concocted. The petitioners do not even

belonged to the family of the complainant. As such, they have no connection whatsoever, either with the complainant or with her family life. It is further submitted that even as per the allegations, only attribution to the petitioners is causing injury on the fingers of right hand of the complainant, which have been opined as simple in nature. There is no other case against the petitioners. The petitioners are ready to join the investigation.

Notice of motion.

Ms. Monika Jalota, DAG, accepts notice on behalf of the State of Punjab.

Learned State counsel, on instructions from SI Kiranjeet Kaur, submits that the name of the petitioners are mentioned in the FIR itself. Therefore, their complicity in the crime is duly established. However, it is not disputed that the petitioners are only neighbours of the complainant having nothing to do with the family life of the complainant. Still further, it is not disputed that the injury attributed to the petitioners is simple in nature.

In view of the above, the present petition is allowed. It is ordered that in the event of arrest, the petitioners shall be released on bail subject to their furnishing personal bonds/surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

**(RAJBIR SEHRAWAT)
JUDGE**

21.5.2020

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No