

CRM-M-14620 of 2020

**204IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-14620 of 2020
Date of Decision: 07.10.2020

Baldev Singh and others

...Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present:- Mr. Rajat Dogra, Advocate,
for Mr. S.P.S. Sidhu, Advocate, for the petitioners.
Mr. Jagmohan Ghumman, DAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Case taken up through Video Conferencing.

Through the present petition filed under Section 438 Cr.P.C. the petitioners seek the grant of anticipatory bail in FIR No.46 dated 31.05.2020, registered under Sections 452, 323, 427, 148 and 149 IPC at Police Station Ghall Khurd, district Ferozepur.

The allegations against the petitioners are that Baldev Singh, who was carrying a pistol, dragged the complainant's wife and tore her clothes; Sukhchain Singh caused injuries to Arshdeep Singh – son of the complainant and Harbans Singh damaged the underground pipes laid by the complainant.

Learned counsel for the petitioners submitted that the petitioners have been falsely implicated in the case due to political rivalry as Baldev Singh happens to be Ex-Sarpanch and the Gram Panchayat had filed

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a civil suit against the complainant party alleging therein that they were causing obstruction in the drains in the Village; complaint filed by the complainant was found to be false as in the inquiry conducted by the police it was found that Baldev Singh was not carrying any pistol; there is no other criminal case in which the petitioners are involved and that under the interim orders passed by this Court the petitioners have not only joined the investigation but have also fully co-operated with the investigating agency.

Learned State counsel on instructions from ASI Balwinder Singh admits to the fact that the petitioners are not involved in any other case and that under the interim orders passed by this Court the petitioners have not only joined the investigation but have also fully co-operated with the investigating agency. He further submits that the State does not require the custodial interrogation of the petitioners.

After considering the totality of the above facts this Court is of the considered opinion that custodial interrogation of the petitioners is not necessary and consequently the order of this Court dated 10.06.2020 granting ad-interim anticipatory bail to the petitioners is ordered to be made absolute.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

October 07, 2020
R.S.

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No