

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-17533 of 2020(O&M)

Date of Decision: 15.07.2020

Hussan Dass and another

..... Petitioners

Versus

State of Punjab

..... Respondent

**CORAM:- HON'BLE MRS.JUSTICE LISA GILL**

Present: Mr.B.S.Kathuria, Advocate  
for the petitioner.

Mr. B.S.Sewak, Addl.AG., Punjab.

\*\*\*\*\*

**LISA GILL, J (Oral).**

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 167 dated 12.05.2019, under Sections 379-B, 323, 341, 427, 506 IPC, registered at Police Station Phillaur, Jalandhar.

It is submitted that the petitioners have been falsely implicated in this case. Moreover, even the alleged injuries attributed to the present petitioners are simple in nature. Petitioner no.1, is attributed with a stick blow on the back of the complainant's head and petitioner no.2, is attributed with a brick blow on the elbow of the complainant. It is further submitted that the similarly situated co-accused has been afforded the concession of anticipatory bail in CRM-M-1325 of 2020 on 21.01.2020. Three of the accused persons have been declared innocent. The matter, is a case of

version and cross-version. It is thus prayed that the present petition be allowed.

Learned counsel for the respondent-State, on instructions from SI Sawinder Singh, verifies that the injuries attributed to the present petitioners are simple in nature. The petitioners are not involved in any other criminal case. Learned counsel for the respondent-State, is further unable to deny that the petitioners are identically placed as the co-accused in CRM-M-1325 of 2020.

There are no allegations on behalf of the State that the petitioners are likely to abscond or that they are likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed.

In the event of arrest of the petitioners, they be released on bail to the satisfaction of the Arresting/investigating Officer. The petitioners shall join investigation as and when called upon to do so. Petitioners shall comply with the conditions stipulated in Section 438(2) Cr.P.C.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

**15.07.2020**  
s.khan

**[LISA GILL]**  
**Judge**

Whether speaking/reasoned : Yes/No.  
Whether reportable : Yes/No.