

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

205

CRM-M No.18873 of 2020
DATE OF DECISION : 27th JULY, 2020

Puran Singh & others

.... Petitioners

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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In virtual Court

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Present: Mr. Balbir Singh Jaswal, Advocate for the petitioners.

Mr. Rakeshinder Sidhu, AAG, Punjab,

Mr. Ranjeet Sharma, Advocate for the complainant.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioners under Section 438 Cr.P.C for grant of anticipatory/pre-arrest bail in cross case registered vide Rapat No.24 dated 20.06.2020 under Sections 452, 326, 325, 324, 427, 506, 148 & 149 IPC in main case FIR No.64 dated 21.07.2016 registered under Sections 307, 326, 324, 323, 148 & 149 IPC, 1860 and Section 25 of the Arms Act, 1959 at Police Station Chattiwind, District Amritsar.

It is contended by counsel for the petitioners that this case has arisen as a cross version, in an FIR which was registered at the instance of the side of the petitioners against the other side under Sections 307/326 IPC along with other offences. The counsel has

submitted that it is only after four years of the incidence and the FIR that the present DDR/Rapat has been recorded. The counsel has further pointed out that in the interregnum there had been a compromise between the parties and the accused from the other side got concession of bail/anticipatory bail on the basis of the said compromise. However, since the matter did not fructify into a compromise, ultimately, the present DDR has been got recorded by the other side as a measure of pressure tactic.

Learned State counsel, being instructed by ASI Baljeet Singh, has submitted that there are specific injuries attributed to the petitioners. The weapons of offence have also not been recovered so far. The DDR is based upon the MLR, which was prepared in the year 2016 itself. However, it is not disputed that the main case was registered by the side of the present petitioners and that the efforts of compromise had been made in the interregnum.

The counsel for the complainant has submitted that the petitioners had caused injuries with the specified weapons. The injuries include even the grievous ones. However, it is not disputed that there had been an attempt of compromise between the parties and under that compromise, the persons from the side of the present complainant had got bail or anticipatory bail in the case registered by the side of the petitioners.

In view of the above, but without commenting anything on merits of the case, the present petition is allowed. In the event of arrest, the petitioners 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.

27th JULY, 2020
'raj'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>