

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

CRM-M-19169-2020 (O&M)

Date of decision: 11.09.2020

Jassa Singh @ Jaswant Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR.JUSTICE H.S. MADAAN**

Present: Mr. R.V.S. Chugh, Advocate for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab.

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**H.S. MADAAN, J. (Oral)**

Case taken up through video conferencing.

This petition for pre-arrest bail has been filed by petitioners Jassa Singh @ Jaswant Singh, aged about 34 years as well as Satnam Singh, aged about 47 years, both of them being accused in FIR No.78 dated 17.06.2019, for offences under Sections 452, 323, and 34 IPC (Section 325 IPC added later on), registered with Police Station Jhunir, District Mansa.

Briefly stated facts of the case as per prosecution story are that on 16.06.2019 at about 11.00 AM, when complainant Jasvir Singh son of Sadhu Singh, resident of Heerke along with his family was present in his house, then Jassa Singh armed with a ghoti and Satnam Singh empty handed, residents of his village, trespassed in his house and on a lalkara being raised by Jassa Singh, Satnam Singh grappled with the

complainant, whereas, Jassa Singh gave a ghota blow to him hitting on his left hip; another blow by Jassa Singh found its target on the left wrist of the complainant; on alarm being raised by wife of the complainant, both the assailants had left the spot. The injured was taken to hospital, where he was medically treated and medico-legally examined.

Apprehending their arrest in this case, the petitioners had filed a petition for grant of pre-arrest bail before the Court of Sessions at Mansa, which was assigned to Addl. Sessions Judge, Mansa, who vide order dated 13.07.2020, dismissed the same. Therefore, they have knocked at the door of this Court, praying for grant of similar relief, by filing the present petition, notice of which was given to the State.

I have heard learned counsel for the parties besides going through the record.

Learned counsel for the petitioners has contended that the matter has been amicably settled between the parties with the intervention of the panchayat and a petition for quashing of the FIR was also filed. The parties have got their statements recorded with regard to compromise and the report was sent to this Court. However, on account of non-appearance of counsel for the petitioners, the said petition was dismissed. The petitioners have since joined the investigation in terms of the interim bail granted to them. As such, the petition be accepted.

Learned State counsel, on instructions from HC Gurpreet Singh concedes the factum of petitioners having joined the investigation, further stating that the custodial interrogation of the petitioners is not required.

It being so, the interim bail granted to the petitioners, vide order dated 17.07.2020 is made absolute, subject to the following conditions:-

- 1.That the petitioners shall make themselves available for investigation by a police officer as and when required;
- 2.That they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;
- 3.That they shall not leave India without prior permission of the Court.
- 4.They shall surrender their passports before the Investigating Officer and if they are not having passports, then, shall file the affidavits in that regard.

In case, the petitioners violate any terms & conditions, on which the bail has been granted to them, the prosecution would be entitled to apply for cancellation of bail.

The petition stands allowed accordingly.

11.09.2020

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**(H.S. MADAAN)**  
**JUDGE**

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|-----------------------------|-----|----|
| Whether speaking/reasoned : | Yes | No |
| Whether Reportable :        | Yes | No |