

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M- 29765 of 2020

Date of Decision: 27.10. 2020

Amarjit Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Ripudaman Singh Sidhu, Advocate
for the petitioner(s).

Ms. Samina Dhir, Deputy Advocate
General, Punjab for the respondent.

Mr. Vaibhav Narang, Advocate
for the complainant.

Anil Kshetarpal, J.

On 25.09.2020, the following order has been passed by this
Court:-

*“The petitioner prays for grant of pre-arrest bail
in a criminal case arising from FIR No. 94, dated 31.08.2020,
registered under Section 323, 325, 354, 506 & 148 IPC, at
Police Station Balongi, District SAS Nagar (Mohali).*

*The case of the prosecution has been noticed by
the learned Judge, Special Court, S.A.S. Nagar (Mohali), in
para 4 of its order dated 16.09.2020, which is extracted as
under:-*

*“Briefly stated, the facts of the case
as per the prosecution version are that on
30.08.2020 at about 4:30PM the complainant*

along with her husband Kuldeep Singh was present on their shop situated at village Chapperchiri Khurd. Kuldeep Singh was taking out bricks from the old foundation wall. In the meantime Balwinder Singh (applicant no.1) along with his two sons namely Amarjit Singh and Lovepreet Singh (applicants no. 2 & 3) and 2-3 unknown persons came on the spot. Balwinder Singh hurled brickbat on Kuldeep Singh which hit him on his nose and head. Amarjit Singh @ Jitti also hurled brickbat on Kuldeep Singh which hit him on the backside of his head. Kuldeep Singh fell on the brickbats. While Kuldeep Singh was lying on the ground, all of them along with unknown persons kicked him and gave him fist blow. When the complainant came forward to rescue her husband, Balwinder Singh caught her from her hair and Amarjit Singh attacked her with brickbats which hit on her back. Lovepreet Singh outraged the modesty of the complainant and tore her clothes. When the complainant party raised alarm, all the accused ran away from the spot after abusing and threatening to eliminate them”.

Learned counsel for the petitioner contends that there is a version and a cross-version of the occurrence. Certain persons from the group of the petitioner have also suffered injuries. He further submits that a civil suit is pending between the parties. He further contends that in fact the first informant and her family had blocked a drain which was sought to be opened.

Notice of motion.

*On the request of the Court, Ms. Samina Dhir, Deputy Advocate General, Punjab, accepts notice on behalf of the respondent and prays for time to seek instructions. *

Keeping in view the aforesaid facts, it is considered appropriate that let the petitioner join investigation.

In the event of arrest of the petitioner, he shall be released on interim pre-arrest bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner 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.

List on 27.10.2020”.

Ms. Samina Dhir, Deputy Advocate General, Punjab, on the instructions from Assistant Sub Inspector Bahadur Singh, has submitted that the petitioner has joined investigation, co-operated and not required for further custodial interrogation.

In view of the aforesaid facts, the present petition is allowed and interim pre-arrest bail granted to the petitioner by this Court on 25.09.2020 is made absolute.

(Anil Kshetarpal)
Judge

October 27, 2020
“DK”

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