

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

CRM-M-38339 of 2019

DATE OF DECISION :- January 08, 2020

Dilbagh Singh @ Jora

...Petitioner

Versus

State of Punjab

...Respondent

CRM-M-41932 of 2019

Gurbinder Kaur @ Gurbinder Kaur @ Babbu

...Petitioner

Versus

State of Punjab

...Respondent

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

Present:- Mr. Vivek Salathia, Advocate for the petitioner
in CRM-M-41932 of 2019.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

My this order shall dispose of two petitions for grant of pre-arrest bail bearing CRM-M-38339 of 2019 filed by Dilbagh Singh @ Jora versus State of Punjab and CRM-M-41932 of 2019 filed by Gurbinder Kaur @ Gurbinder Kaur @ Babbu versus State of Punjab.

Briefly stated the case of the prosecution is that on 21.3.2019, one Jugraj Singh was doing the agricultural work in his fields with a tractor

in village Ghanshampur, on that day, in the evening accused Manpreet Singh, Dilbagh Singh @ Jora and Bunty came there and misbehaved with him. Jugraj Singh narrated the entire incident to his brother Amrit Pal Singh-complainant. Manpreet Singh had threatened Jugraj Singh on telephone, however, complainant kept mum since brother of accused Manpreet Singh namely Gurpreet @ Gopi is stated to be a gangster. On 23.3.2019 at about 2.15 P.M. when Jugraj Singh was travelling in his Swift Desire Car bearing registration No. PB07-AV-0501 being followed by his brother Amrit Pal Singh and cousin brother Jobanpreet Singh on a scooter they saw Gurmeet Kaur mother of Manpreet Singh, Gurvinder Kaur, sister in law of Manpreet Singh and Manpreet Singh, Dilbagh Singh and Banti armed with pistols. They were standing on road and when Jugraj Singh reached near them in his Car they tried to stop the Car. Gurmeet Kaur and Gurvinder Kaur raised a lalkara that Jugraj Singh should be killed with a gunshot. Then Manpreet Singh fired a shot from his pistol, which hit head of Jugraj Singh. Dilbagh Singh @ Jora and Banti fired from their pistols at Jugraj Singh. Jugraj Singh lost control over the Car and entered into fields and then all the accused fired in the air and ran away along with their respective weapons. Formal F.I.R. was registered in the case. Dilbagh Singh @ Jora and Gurbinder Kaur @ Gurvinder Kaur @ Babbu apprehending their arrest had approached the Court of Sessions at Amritsar seeking pre-arrest bail, however, that relief was declined to them. Now they have knocked the door of this Court seeking similar relief.

Notice of the petitions were given to the State counsel. Both the

petitioners have since joined the investigation.

I have heard learned counsel for the petitioners and learned State counsel besides going through the record.

As far as Dilbagh Singh @ Jora is concerned, learned State counsel submits that he has been found innocent by Superintendent of Police, investigation, Amritsar-Rural as per his report dated 28.5.2019. The challan in this case has been filed on 10.6.2019 and Dilbagh Singh @ Jora is not required to be arrested by the police in this case. Similarly, as regards Gurbinder Kaur @ Gurvinder Kaur @ Babbu is concerned she has stated that her custodial interrogation is not required by the investigating agency.

Under such circumstances, the interim bail granted to the petitioner Dilbagh Singh @ Jora on September 10, 2019 and to petitioner Gurbinder Kaur @ Gurvinder Kaur @ Babbu on September 30, 2019 are made absolute, subject to their fulfilling conditions under Section 438(2) Cr.P.C.

The petitions are allowed accordingly.

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

January 08, 2020
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No