

117 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10712-2021
DECIDED ON: 15th MARCH, 2021

JAGROOP SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

AND
CRM-M-10907-2021

GURJANT SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Puneet Kumar Bansal, Advocate for the petitioners.

Mr. Harsimar Singh Sitta, AAG, Punjab.

Mr. Tushar Sharma, Advocate for the complainant.

AVNEESH JHINGAN, J (ORAL)

CRM-M-10712-2021 and CRM-M-10907-2021 are filed by Jagroop Singh and Gurjant Singh respectively for anticipatory bail in FIR No. 31, dated 6th April, 2020 registered under Sections 324, 323, 148 and 149 of the Indian Penal Code, 1860 (Sections 325 and 308 IPC added later on) at Police Station Makhu, District Ferozepur.

There is a version and cross-version of the case. FIR was

registered at the behest of Satpal Singh alleging that on 5th April, 2020, he saw *Roodi* dumped on the front side of the passage of his field. On asking from Jagroop Singh as to why he has dumped *Roodi*, there was an argument with regard to the ownership of the said land. In the meantime, Malkit Singh along-with his two sons Gurjant Singh and Balwant Singh came from the village side. A lalkara was raised, injuries were inflicted. In the incident there was used of Kirpan, Kaapa and an iron rod.

The cross-version i.e. DDR was reported at the behest of Malkit Singh. Initially the cross-version was found to be false, however, later Investigating Officer formed an opinion that the cross-version was required to be dealt along-with FIR.

Learned counsel for the petitioners submits that the co-accused were granted bail. It is submitted that the injury attributed to Jagroop Singh was not found dangerous to life. The submission is that the petitioners are ready to join the investigation and will full co-operate in the investigation.

Learned State counsel, on instructions from ASI Satnam Singh opposes the prayer. It is argued that the injury attributed to Gurjant Singh was declared dangerous to life and later on Section 308 IPC was added.

Learned counsel for the complainant vehemently argues that the injuries suffered are serious. The version put forth by the petitioners was found to be false.

It is a fact that the petitioners and complainant are having adjoining lands. *Prima-facie* there appears to be some differences with regard to the possession of the part of the passage. The root cause for the incident was dumping of *Roodi*. Petitioners are not involved in any other

case.

The petitioners are granted anticipatory bail subject to their joining investigation within two weeks. In the event of arrest, the petitioners shall be released on bail subject to their furnishing adequate bail bonds to the satisfaction of the Investigating Officer. They are directed to join the investigation as and when called for. They shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

The petitions are allowed.

In case of failure of petitioners to join the investigation, the State would be at liberty to file an application for recalling of this order.

A photocopy of this order be placed on the file of connected petition.

15th MARCH, 2021
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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>