

207-B

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

CRM-M No.16805 of 2021

Date of Decision:14.07.2021

MAMINDER SINGH AND OTHERS

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. K.S Brar, Advocate
for the petitioners.

Mr.Sandeep Kumar D.A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioners seek grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.20 dated 05.03.2021 registered under Sections 452, 323, 295, 148, 149 IPC of 1860 and (Section 325 IPC added later on) at Police Station Lakho Ke Behram, District Ferozepur.

While issuing notice of motion on 22.04.2021 following order was passed.

“The case has been taken up for hearing through video conferencing.

Learned counsel for the petitioners contends that as per allegations, Mukhtiar Singh inflicted gandasi blow on the left ear of the complainant namely Angoor Singh. Petitioner No.1 gave a baseball blow on the left shoulder of the complainant and petitioner No.2 gave dang blow on the left hip. Petitioner No.1 gave a baseball blow on the left side neck of son of complainant. Surrender put off the turban of the complainant and threw the complainant on the ground thereby insulting his hairs. MLR of the complainant would show that injuries No.2 and 4 are grievous in nature. Injury No.2 is attributed to petitioner No.1 and injury No.4 is attributed to petitioner No.2.

Learned counsel further contends that offences under Sections 452 and 295 IPC are non-bailable. Offence under Section 295 IPC is attributed to Surrender. Indulgence has been granted in favour of Gurbhej Singh and Manjinder Singh in CRM-M No.15775 of 2021.

Learned counsel also referred to the background wherein Raj Rani wife of co-accused filed a criminal complaint under Section 376 IPC against the complainant which is pending in the court of Sub Divisional Judicial Magistrate, Guruharshai and lodging of present FIR is the counter blast of said complaint.

Notice of motion for 14.07.2021.

*In the meanwhile, petitioners are directed to appear before the SHO/Investigating Officer to join investigation on **28.04.2021** at 11.00 A.M. and in the event of their arrest, they shall be enlarged on interim bail, subject to their furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioners shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.*

Nothing expressed hereinabove shall be construed to be an opinion on the merits of the case. The case shall be decided on merits on the adjourned date.

To be heard along with CRM-M No.15775 of 2021.”

Learned counsel for the petitioners submits that the

petitioners have joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from ASI Gurdev Singh admitted the aforesaid fact and submitted that the petitioners have joined the investigation on 28.04.2021 and they are no more required for further investigation of the case.

In view of aforesaid factual position, the interim order dated 22.04.2021 is made absolute. Petitioners shall keep on joining the investigation as and when required to do so and they shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

14.07.2021

Amandeep

Whether speaking/reasoned
Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No
Yes/No