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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.29081 of 2021 (O&M)

Date of decision: 04.08.2021

Jagdev Singh and another

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Lupil Gupta, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. N.S. Sidhu, Advocate
for the complainant.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No.49 dated 10.07.2021 registered under Sections 323, 341, 506, 120-B, 379-B, 34 of the Indian Penal Code, 1860 (in short 'IPC') and 25/27 of the Arms Act, at Police Station Phul, District Bathinda.

Counsel for the petitioners has argued that prior to registration of the FIR on 10.07.2021, there was another incident on 07.07.2021 *qua* which a DDR No.37 dated 08.07.2021 was registered under Sections 323/34 IPC, for causing injuries to both the petitioners. Counsel for the petitioners has relied upon the MLR of petitioner No.2 – Balwant Singh and as per the said MLR, he has suffered as many as 10 injuries. It is further submitted that the accused in the said DDR are the complainant in the present FIR.

Counsel for the petitioners has also submitted that as per

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the allegations in the FIR, petitioner No.1 – Jagdev Singh, is armed with stick whereas petitioner No.2 – Balwant Singh is not named in the FIR and he has been nominated later on. It is further argued that qua petitioner No.1 – Jagdev Singh, there is no specific attribution of any injury to any person.

Counsel for the State could not dispute the factual position but opposed the prayer for bail. It is also not disputed that no specific injury is attributed to petitioner No.1 – Jagdev Singh.

Counsel appearing for the complainant has argued that the victim has also suffered number of injuries, however, the victim of DDR No.37, which is a matter of record is not disputed.

After hearing the counsel for the parties, considering the fact that both the parties are up in arms against each other and are even pleading that they have been falsely implicated in the case as the other party is having political background, I deem it appropriate to grant the concession of anticipatory bail to the petitioners.

Accordingly, the present petition is allowed and the petitioners are directed to appear before the Investigating Officer within a period of 10 days to join investigation and they shall be released on interim bail on furnishing bail/surety bonds subject to the following conditions:-

- 1. They shall make themselves available for interrogation by a police officer as and when required;*
- 2. 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

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3. They shall not leave India without previous permission of the Court.

It will be open for the Investigating Officer to issue an advance notice in writing to the petitioners to join the investigation as and when required by him.

**(ARVIND SINGH SANGWAN)
JUDGE**

04.08.2021
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No