

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-26836-2020 (O&M)
Date of Decision:-18.2.2021

Jagdeep Singh and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. MJS Bedi, Advocate for the petitioners.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab,
assisted by ASI Kamaljit Singh.

Mr. Jasdeep Singh and Mr. Sidhharth Gupta, Advocates,
for the complainant.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioners have approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.55 dated 5.6.2020 at Police Station Balianwali, District Bathinda under Sections 308, 341, 323 and 34 of Indian Penal Code.
2. At the time of issuance of notice of motion on 9.9.2020 the following order was passed:

“ The learned counsel for the petitioners submits that while as per the FIR while petitioner No.1-Jagdeep Singh was armed with 'ghop', petitioner No.2-Kulwinder Singh @ Kulminder Singh was armed with an iron rod and they had caused injuries to the complainant, the MLR (Annexure P-3) would show that all the four injuries allegedly received by the complainant are in the nature of lacerations and swellings.

It has further been submitted that although the FIR was initially registered for offences under Sections 341 and 323 IPC but later on offence under Section 308 IPC was added on the ground that injury No.3, which is an injury in the nature of a fracture on right leg developed complications, which could have been dangerous to life. It is submitted that complication, if any, were on account of carelessness in providing medical treatment which can not be attributed to petitioners.

It has further been submitted that it is infact a case of cross-version where even petitioner No.2 sustained a fracture on his left arm.

Notice of motion for 16.12.2020.

Meanwhile, in the event of arrest, the petitioners be released on interim bail subject to their furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. The learned State counsel, upon instructions from ASI Kamaljit Singh, has informed that pursuant to interim directions issued by this Court on 9.9.2020, the petitioners have since joined investigation and that their custodial interrogation is not required.

4. In view of the aforestated position, the petition is accepted and the interim directions issued by this Court vide order dated 9.9.2020 are hereby made absolute subject to the condition that the petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

18.2.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No