

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

CRM-M-33250 of 2021

Date of Decision: 17.08.2021

Rashpal Singh and another

Petitioners

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. PPS Duggall, Advocate for the petitioners.
Ms. Monika Jalota, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

The matter is taken up for hearing through video conference due to COVID-19 situation.

This petition under Section 438 Cr.P.C. is filed seeking anticipatory bail in FIR No. 76 dated 29.6.2021, under Sections 323, 324 read with Section 34 IPC (Section 326 IPC added later on), registered at Police Station Makhu, District Ferozepur.

The FIR was registered on the statement of Balwinder Singh. As per the allegations, on 26.6.2021, there was an incident in which the complainant was inflicted injuries by Harjit Singh (petitioner) and Love Jeet Singh. Petitioner No. 1 was armed with Kahi and petitioner No. 2 was armed with Kappa. Petitioner No. 2 gave Kappa blow on the left thumb of the complainant, which was declared grievous.

Learned counsel for the petitioners submits that the incident was a result of dispute regarding irrigating the fields. He further submits that Section 326 IPC was added one month of the discharge of the complainant from the hospital. The submission is that the matter has been compromised on 5.7.2021.

Learned counsel for the State appearing on advance notice

opposes the prayer for grant of pre-arrest bail.

The injuries attributed to the petitioners are on non-vital part. From the pleadings, it is forth coming that the water dispute turned ugly and the incident took place. Good sense has prevailed over the parties and they have abridged their differences. No useful purpose would be served by denying personal liberty of the petitioners. The petitioners are granted anticipatory bail subject to his joining investigation within two weeks. In the event of their arrest, the petitioners shall be released on bail subject to their furnishing adequate bail bonds to the satisfaction of the Arresting 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 petition is allowed.

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

[AVNEESH JHINGAN]
JUDGE

17th August, 2021
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |