

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

CRM-M No.30653 of 2020

Date of decision : August 27, 2021

Paramjit Kaur and Others

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:- Ms. Shivya Sehgal, Advocate for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab.

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

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.77 dated 25.08.2020, registered under sections 341, 323, 506, 188, 148 read with section 149 IPC (Sections 325 and 452 IPC added later on), Police Station Jodhan, District Ludhiana.

On 01.10.2020, following order was passed:

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

CRM-24518-2020

For the reasons mentioned in the application, the same is allowed and the petitioners are exempted from filing certified copies of photocopies of Annexures P-1 to P-7 and

photostat copies of the same are taken on record.

CRM-M No.30653 of 2020

- 2 -

CRM-M-30653-2020

The petitioners have filed present petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.77 dated 25.08.2020 registered under Sections 341, 323, 506, 188, 148 read with Section 149 of the Indian Penal Code, 1860 (for short 'the IPC') in Police Station Jodhan, District Ludhiana to which Sections 325 and 452 are added later on.

Learned Counsel for the petitioners has submitted that the petitioners have been falsely implicated in the case. The petitioners have not committed any offence. The dispute is between the close relatives. Petitioners No.1 and 2 are ladies who even as per the allegations made in the FIR had caused simple injuries. The petitioner No.4 was not named in the FIR as the person named in the FIR is Surinder Singh s/o Gurdeep Singh whereas petitioner No.4 is Sukhwinder Singh s/o Gurdev Singh. The grievous injury caused to complainant-Sandeep Kaur is attributed to co-accused Sarabjit Singh who has already been arrested in the case. The petitioners No.1, 3 and 4 were initially granted interim anticipatory bail and they joined investigation but subsequently their application for grant of anticipatory bail was wrongly dismissed by learned Additional

Sessions Judge, Ludhiana. The petitioners are ready to join the investigation and their
CRM-M No.30653 of 2020 -3-

custodial interrogation is not required in the case.

Notice of motion.

Pursuant to supply of advance copy of the petition, Mr. Randhir Thind, DAG, Punjab has appeared and accepted notice on behalf of the respondent-State.

Mr. Manvinder Singh Sidhu, Advocate has appeared and accepted notice on behalf of the complainant and undertakes to file his power of attorney in the Registry.

Learned Counsel for the complainant has submitted that the petitioners having made preparation for trespassing into the house of the complainant and caused injuries to the complainant-Sandeep Kaur, her son Amrinder Singh and her mother-in-law Surinder Kaur. Learned State Counsel and learned Counsel for the complainant seek time to file reply. Adjourned to 04.12.2020.

In the meanwhile, the petitioners are directed to join the investigation as and when called upon to do so. In the event of their arrest, the petitioner shall be released on interim bail by the arresting officer/investigating officer on furnishing of bail bonds by them to the satisfaction of the arresting officer/investigating officer. The petitioners shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which they shall not be entitled to the protection of interim bail allowed to them.

01.10.2020
kothiwal”

(ARUN KUMAR TYAGI)
JUDGE

CRM-M No.30653 of 2020

- 4 -

Learned counsel for the petitioners submits that in compliance of the order dated 01.10.2020, petitioners have joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel, on instructions from the Investigating Officer, admits the aforesaid fact and submits that the petitioner is no more required for further investigation in the case.

In view of aforesaid factual position, the interim order dated 01.10.2020 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

Petition stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

August 27, 2021

sarita

Whether speaking / reasoned

Whether Reportable:

Yes / No

Yes / No