

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

**CRM-M-39218-2020
Date of decision: 23.02.2021**

Ajaib Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Jaswinder Singh Grewal, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No. 167 dated 29.09.2020, under Sections 323, 324, 34 of the IPC (Section 326 IPC added later on) at Police Station Sadar Rupnagar.

The operative part of the order dated 10.12.2020, vide which the petitioners have been granted interim bail, is reproduced below:

“Learned counsel for petitioners inter alia contends that as a matter of fact complainant party initiated the fight and they caused injuries to both the petitioners and as a result of which both petitioners have sustained grievous injuries on their persons. He further urges that qua version of petitioners, Cross Version vide DDR No.35 dated 29.09.2020 under Sections 148, 323 and 324 IPC read with Section 149 IPC (Section 326 IPC added lateron) was registered at Police Station Sadar Rupnagar, District Rupnagar. He further urges that civil suit instituted at the instance of petitioners in respect of use of passage has already been decided in their favour, vide judgment and decree dated 26.02.2019 (Annexure P/1). He further urges

that it is yet to be decided during the course of trial which was party was the aggressor one. He further submits that petitioners are ready to join investigation as and when called upon to do so by the Investigating Agency.

Adjourned to 04.02.2021.”

Learned counsel for the petitioners submits that the petitioners, in pursuance to the order dated 10.12.2020, have already appeared before the SHO/Investigating Officer and have joined the investigation.

Learned counsel for the State, on instructions from ASI Harwinder Kaur, has not disputed the factual position and submits that the petitioners have joined the investigation and are no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioners, vide order dated 10.12.2020, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

23.02.2021

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No