

CRM-M-40475-2020

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

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Date of decision: 06.07.2021

Karanbir Singh and others

...Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. P.B.S.Goraya, Advocate,
for the petitioners.

Mr. H.S.Sitta, AAG, Punjab.

Mr. Amandeep Singh Manaise, Advocate,
for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioners seek anticipatory bail in case bearing FIR No.54 dated 12.08.2019, registered at Police Station Verowal, District Tarn Taran, under Sections 323, 325, 326, 148 and 149 IPC.

Learned counsel for the petitioners contends that the alleged occurrence took place on 08.06.2019, whereas the above-noted FIR was registered on 12.08.2019 i.e. after a delay of 65 days. It is further submitted that there were allegedly ten injuries on the person of the complainant, but petitioner No.1 and 2 have allegedly been attributed an injury each with a baseball bat on his shoulder and head, whereas petitioner No.3 had allegedly caused injuries i.e. on the right arm below elbow and

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right leg below knee of the complainant, with a base-ball bat. It is further submitted that petitioner No.3 and one Gurchet Singh had also received injuries in the occurrence, but the police had deliberately cancelled the cross-version case registered on the complaint of the petitioners.

Learned State counsel, assisted by the learned counsel for the complainant, opposes the prayer made in the present petition and submits that the petitioners alongwith co-accused had caused multiple injuries on the person of the complainant. However, it is not disputed that injury attracting Section 326 IPC has not been attributed to the petitioners.

I have heard the learned counsel for the parties.

Vide order dated 14.12.2020 passed by this Court, this Court had directed that no coercive action should be taken against the petitioners.

It is conceded by the learned State counsel that injury attracting Section 326 IPC has not been attributed to the petitioners.

Keeping in view the facts and circumstances of the present case and without expressing any opinion on the merits of the case, this Court finds that the petitioners are not required for custodial interrogation and no useful purpose would be served by sending them behind the bars. Therefore, finding merit in the present petition, the same is allowed. The petitioners are directed to join the investigation as and when called upon to do so and if they are sought to be arrested, they shall be released on anticipatory bail to the satisfaction of Investigating Officer/Arresting Officer, subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.

It is made clear that if pursuant to and in compliance with this

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order, the petitioners do not cooperate with the investigating agency, the investigating agency would be liberty to move an appropriate application for cancellation of bail.

06.07.2021
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No