

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

I) CRM-M-8-2021 (O&M)

Jagseer Singh ... Petitioner

Versus

State of Punjab ... Respondent

II) CRM-M-105-2021 (O&M)

Baljeet Singh ... Petitioner

Versus

State of Punjab ... Respondent

III) CRM-M-1569-2021 (O&M)

Sukhwinder Singh ... Petitioner

Versus

State of Punjab ... Respondent

Date of Decision:-2.9.2021

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Ranbir Singh Rawat, Advocate,
for the petitioner(s) in CRM-M-8-2021 and
in CRM-M-105-2021.

Mr. J.K. Singla, Advocate,
for the petitioner in CRM-M-1569-2021.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by HC Gagandeep Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. This order shall dispose of the above mentioned three petitions filed on behalf of petitioners Jagseer Singh, Baljeet Singh and Sukhwinder Singh seeking grant of anticipatory bail in respect of a case registered vide FIR No.443 dated 6.11.2020 and DDR No.34 dated 18.11.2020 at Police Station Sadar, Mansa under Sections 307, 341, 323, 148, 149 and 120-B of Indian Penal Code.
2. At the time of issuance of notice of motion in CRM-M-8 of 2021 and in CRM-M-105 of 2021, the following order was passed on 6.1.2021:

“Learned counsel for the petitioner(s) submits that although in the FIR the allegations are specifically against three persons by name i.e. Satgur Singh, Amrit Singh and Gulab Singh who are alleged to have caused injuries alongwith other three unknown persons, but subsequently on 18.11.2020 i.e. after about 12 days of lodging of the FIR, the complainant took a volte-face and gave a clean chit to the aforesaid three persons namely Satgur Singh, Amrit Singh and Gulab Singh and nominated another set of six persons by name.

Notice of motion for 13.5.2021.

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

A photocopy of this order be placed on the file of connected case.”

3. Even in the other petition i.e. CRM-M-1569 of 2021, a similar order was passed on 13.1.2021.
4. The learned State counsel, upon instructions from HC Gagandeep Singh, has informed that pursuant to interim directions the petitioners have since joined investigation and that they are not wanted in any other case.
5. I have considered rival submissions addressed before this Court.
6. Learned counsel for the petitioner(s) have submitted that while the complainant at the time of lodging of FIR had disclosed the names of 3 persons as the assailants and had attributed specific injuries to them in unambiguous terms but subsequently after about 12 days he has virtually given a clean chit to the said 3 persons and nominated another set of 6 persons including the petitioners.
7. Opposing the petition, learned State counsel has submitted that since the complainant in his supplementary statement has disclosed the names of the petitioners, no case for grant of bail is made out particularly when the complainant is alleged to have sustained as many as 19 injuries.
8. I have considered rival submissions addressed before this Court.
9. The conduct of the complainant in initially having named 3 persons specifically and later having given a clean-chit to the said 3 persons and having named another set of 6 persons would reflect on the veracity of his statement and the Court would certainly be put at a caution before accepting his statement. In any case, since the petitioners are stated to have joined investigation and are not even stated to be involved in any other case, their

custodial interrogation is not warranted. All the three petitions, as such, are accepted and the interim directions issued by this Court vide orders dated 6.1.2021 and 13.1.2021 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.

10. It is, however, clarified that none of the observations made above shall be taken to be an expression on merits of the main case.
11. A copy of this order be placed on the file of each connected cases.

2.9.2021

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No