

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

I) CRM-M-1950-2022 (O&M)

Kashmiro Bai and others ... Petitioners

Versus

State of Punjab ... Respondent

II) CRM-M-54675-2021 (O&M)

Gagandeep Kaur and others ... Petitioners

Versus

State of Punjab ... Respondent

Date of Decision:-2.2.2022

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Riffi Bala Birla, Advocate for the petitioner(s).

Mr. Rehat Bir Singh Mann, DAG, Punjab,
assisted by HC Sikanderpal Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. This order shall dispose of the above mentioned two petitions filed on behalf of petitioners Kashmiro Bai, Gurwinder Singh @ Bindi, Gurnam Singh, Gagandeep Kaur @ Goga Bai, Lakhwinder Kaur @ Rekha Bai and Geeta @ Pooja seeking grant of anticipatory bail in respect of a case registered vide

FIR No.167 dated 9.12.2021 at Police Station Khuian Sarwar, District Fazilka under Sections 452, 323, 148 and 149 of Indian Penal Code.

2. At the time of issuance of notice of motion in CRM-M-1950-2022, the following order was passed:

“The petitioners have approached this Court seeking grant of anticipatory bail in respect of a case registered against them vide FIR No.167, dated 9.12.2021, Police Station Khuian Sarwar, District Fazilka, under Sections 452, 323, 148, 149 IPC.

As per the allegations levelled in the FIR, on 7.12.2021, at about 6.30 pm, Gurnam Singh (petitioner No.3) his wife Kashmiro Bai (petitioner No.1) accompanied by his three sons and 5 daughters entered into the house of the complainant and caused injuries.

Learned counsel for the petitioners has submitted that the entire family of the petitioners comprising of 10 members has been roped in the present FIR by the complainant who is a neighbourer, on account of a petty dispute. It has further been submitted that in any case, even as per the FIR, none of the petitioners had gone armed with any weapon and that the two injuries alleged to have been caused, are attributed to co-accused Mangat and Rangpal who are alleged to have picked up ‘bricks’ from the spot and had caused injuries to the complainant on his head and chin. It has been submitted that a co-ccused has already been granted interim bail by this Court vide order dated 29.12.2021 in CRM-M-54675-2021 (Annexure P-4).

Notice of motion for 2.2.2022.

Meanwhile, in the event of arrest, the petitioners be released on interim bail subject to their furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioners 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.”

3. Even in the other petition i.e. CRM-M-54675-2021, this Court while issuing notice of motion had granted interim bail to the petitioner.
4. Learned State counsel upon instructions from the Investigating Officer has informed that pursuant to interim directions, the petitioners have joined investigation and are not required for any custodial interrogation. Learned State counsel has informed that out of the aforesaid 6 petitioners, petitioner Geeta @ Pooja is not involved in any other case and that while petitioner Gurnam Singh is involved in 6 other FIRs, the remaining petitioners are involved in 1-2 cases each.
5. I have considered the aforesaid submissions.
6. Having regard to the nature of allegations and the fact that none of the petitioners had gone armed to the place of occurrence and are already stated to have joined investigation and are not required for any custodial interrogation, both the petitions are accepted and the interim directions issued by this Court vide order dated 17.1.2022 (passed in CRM-M-1950-2022) and order dated 29.12.2021 (passed in CRM-M-54675-2021) 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.

2.2.2022

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No