

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206-A

CRM-M-17773 of 2022
Date of decision:01.08.2022

Harpinder Singh and another

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Harmanpreet Singh, Advocate
for the petitioners.

Mr. Amandeep Singh Gill, Sr. DAG, Punjab.

SUVIR SEHGAL, J. (Oral)

On 29.04.2022, this Court passed the following order:-

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in cross case bearing G.D.No.31 dated 28.05.2020, registered for offences under Sections 323, 324, 326, 354, 354-B, 148 and 149 of the Indian Penal Code, 1860 (Annexure P-2) in FIR No.94 dated 26.05.2020, registered for offences under Sections 323, 324, 326, 354, 354-B, 148 and 149, IPC at Police Station Ghuman, District Batala (Annexure P-1).

Counsel for the petitioners contends that it is a case of version and cross-version and it is yet to be determined as to which of the parties is the aggressor. He submits that the

cross-version has been registered after the delay of 10 days of occurrence and is clearly an after thought. He submits that both the petitioners are alleged to be armed and accused of having inflicted injuries with wooden sticks, though, it is submitted that it has been inadvertently mentioned as “datar” on page 12 of the paper book. He urges that allegation of teasing the wife of the complainant, levelled against Ram Singh, petitioner No.2, is false and fabricated.

Notice of motion.

On asking of the Court, Mr. A.S.Gill, Senior Deputy Advocate General, Punjab accepts notice on behalf of the respondent-State. Upon instructions from ASI, Hardev Singh, he submits that injury suffered by the complainant on his elbow, which has been attributed to the petitioner No.1, has been declared to be grievous.

List on 01.08.2022.

To be heard with CRM-M-8701-2022.

Meanwhile, the petitioners shall join the investigation and would appear as and when called by the Investigating Officer. In the event of arrest, they shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. They shall also abide by the conditions as specified under Section 438(2) Cr.P.C”

Interim bail granted to co-accused Rajbir Singh, petitioner in CRM-M-8701 of 2022, has been made absolute by an order passed on even date.

Upon instructions from ASI Gurmukh Singh submits that the petitioners have joined investigation, recovery has been effected from them and they are no longer required for custodial interrogation.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed and the order dated 29.04.2022 granting interim bail to the petitioners is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

August 01, 2022

savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No