

CRM-M-46624-2022
CRM-M-46627-2022

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214/1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision: 12.12.2022

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| 1. | | CRM-M-46624-2022 |
| GURBHEJ SINGH | | ... PETITIONER |
| | V/S | |
| STATE OF PUNJAB | | ... RESPONDENT |
| 2. | | CRM-M-46627-2022 |
| DALBIR SINGH | | ... PETITIONER |
| | V/S | |
| STATE OF PUNJAB | | ... RESPONDENT |

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Inder Pal Singh, Advocate for the petitioners.
Mr. Iqbal Singh Mann, DAG Punjab.

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VIVEK PURI, J. (ORAL)

This order shall dispose of CRM-M-46624-2022 and CRM-M-46627-2022.

On 11.10.2022 following order was passed:

“Gurbhej Singh and Dalbir Singh are seeking anticipatory bail in the case bearing FIR No.134 dated 11.09.2022, registered under Sections 498-A/ 406/354-A/34 IPC, at Police Station Sadar Batala, District Batala.

Learned counsel for the petitioners contend that the marriage of Gursewak Singh was solemnized with Ravdeep Kaur, the daughter of the complainant on 20.01.2020 and a son has been born from the wedlock. Gurbhej Singh and Dalbir Singh-petitioners are the brother and father respectively of Gursewak Singh. There are general and vague allegations levelled in the FIR. The present FIR is a counterblast of an FIR No.83 dated 01.06.2022, under Sections 325/341/506/34 registered at Police Station Bairowal, District Tarn Taran at the instance of Gursewak Singh alleging that injuries were inflicted upon him by Amritpal Singh, the son of the complainant. It has been further submitted that Gurbhej Singh-petitioner is suffering from 40% physical disability.

Notice of motion.

Ms. Ruchika Sabherwal, AAG, Punjab accepts notice on behalf of the respondent-State.

Mr. Jatinder Singh Gill, Advocate has put in appearance on behalf of respondent No.2/complainant and submitted that an enquiry in the matter was conducted wherein it had emerged that both the petitioners have given tooth bites on the shoulder of the complainant and Gurbhej Singh-petitioner had also outraged her modesty.

On a query, learned State counsel submits that though there are photographs indicating bite marks but there is no MLR with regard to the said injury and even, the allegation with regard to outraging the modesty was not mentioned by the father of the complainant in the FIR.

Adjourned to 12.12.2022.

Meanwhile, it is directed that in the event of arrest, the petitioners be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that they join the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.

Photocopy of this order be placed on the file of other connected case.”

Learned counsel for the petitioners contend that the petitioners have joined the investigation in pursuance of the interim directions issued by this Court.

Learned State counsel has not disputed the aforesaid factual aspect and has stated that custodial interrogation of the petitioners is not required.

Considering above, the petitions are allowed and the interim bail granted by this Court vide order dated 11.10.2022 is made absolute.

12.12.2022
Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No