

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

293

CRM-M-12817-2022
Date of Decision: 23.01.2023

Mano @ Rama Devi

...Petitioner

Versus

State of Punjab

...Respondent

AND

CRM-M-14208-2022

Narinder Kumar and Others

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Gaurav Partap Singh Pathania, Advocate for
the petitioners in both cases

Mr. Digvijay Nagpal, AAG, Punjab
(assisted by ASI Pawan Kumar)

JAGMOHAN BANSAL, J. (Oral)

On 22.04.2022, the following order was passed:-

“Through instant petition, the petitioner(s) is seeking anticipatory bail in case bearing FIR No.5 dated 05.03.2022 under Sections 323/354/148 and 149 IPC, later on Section 452 IPC added vide DDR No. 35 dated 07.05.2022 registered at Police Station Narot Jaimal Singh, District Pathankot.

The FIR has been registered on the basis of the statement of the complainant alleging that the petitioners

alongwith co-accused had committed trespass in the house and inflicted injuries upon her and her husband.

Learned counsel for the petitioners contend that no injury has been attributed to Kewal Raj and Mano @ Rama Devi. Though, injuries have been attributed to Narinder Kumar and Hem Raj on the person of the husband of the complainant but the same are simple and superficial in nature. It is case of version and cross-version. The mother of Narinder Kumar had also sustained injuries in the occurrence and 30 stitches were applied on her head. The controversy between the parties, who are relatives, pertains to land dispute.

Notice of motion.

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

Mr. Aditya Pratap Singh Rana, Advocate, also accepts notice on behalf of the complainant.

Adjourned to 29.07.2022.

In the meanwhile, the petitioners are directed to join investigation and in the event of their arrest, they shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure..”

Learned State counsel, on instructions from ASI Pawan Kumar, submits that petitioner(s), in compliance of order of this Court, has/have joined investigation and no custodial interrogation is required.

In view of the above, the petition is allowed and the interim bail granted to the petitioner(s) vide order dated 22.04.2022 is made absolute subject to the conditions envisaged under Section 438(2) of Cr.P.C

If the petitioner(s) or his/their family members/associates make any attempt to threat/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted by this order.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and Trial Court shall proceed without being prejudiced by observations of this Court.

(JAGMOHAN BANSAL)
JUDGE

23.01.2023
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>