

209 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-20247 of 2022(O&M)

Date of Decision: 15.02.2023

Shobat Singh & Ors.

...Petitioners

Versus

State of Punjab

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Sahil Puri, Advocate
For the petitioners No.1 & 3 Shobat Singh and Mohit
Bhardwaj.

Petition qua petitioner No.2 Gurparkash Singh @ Monty
Already dismissed vide order dated 12.05.2022.

Mr.C.L. Pawar, Addl. AG Punjab.

Mr. Anil Kumar Spehia, Advocate
For the complainant.

KARAMJIT SINGH, J.

The present petition has been filed by the petitioner under Section 438 Cr.P.C. seeking anticipatory bail in case having FIR No. 09 dated 01.02.2022, registered under Sections 323, 324, 341, 148, 149 and 506 IPC at Police Station Begowal, District Kapurthala, to which Sections 307 and 326 IPC were added lateron.

As per allegations appearing in FIR, on 31.01.2022 complainant Sharanjeet Singh was intercepted by the petitioners and their companions and in the meantime Balwinder Singh and Sahilpreet Singh also reached the spot and accused party started arguing with the complainant, Balwinder Singh and Sahilpreet Singh. Then Gurparkash Singh @ Monty took out *datar* and gave its blow on the left arm of complainant Sharanjeet Singh.

When Balwinder Singh tried to intervene, petitioner Mohit Bhardwaj gave *datar* blow which hit on the back side of head near ear of Balwinder Singh. Gurparkash Singh @ Monty gave another *datar* blow which hit near the right ear of Sahilpreet Singh. The accused persons further caused injuries to complainant, Balwinder Singh and Sahilpreet Singh. No specific injury is attributed to petitioner Shobat Singh and the injury stated to be caused by petitioner Mohit Bhardwaj to Balwinder Singh is found to be simple in nature.

A detailed order was passed by this Court on 12.05.2022 whereby interim bail was granted to the petitioners Shobat Singh and Mohit Bhardwaj with a direction to join the investigation with the police while this petition qua petitioner Gurparkash Singh @ Monty was dismissed.

The counsel for the petitioners apprised the Court that in compliance of the aforesaid order, petitioners Shobat Singh and Mohit Bhardwaj have joined the investigation with the police.

However, the present petition is contested by the counsel for the complainant who submits that petitioner Shobat Singh and Mohit Bhardwaj are named in the FIR and they also caused injuries to the complainant, Balwinder Singh and Sahilpreet Singh.

The State counsel, on instructions from ASI Harpal Singh submits that only simple injuries are attributed to petitioners Shobat Singh and Mohit Bhardwaj and both of them have joined the investigation and got effected recoveries of weapons used by them in commission of crime. The

State counsel further submits that now both the said petitioners are not required by the police for any further investigation.

In the light of the above, without commenting on the merits of the case the instant petition is allowed qua petitioners Shobat Singh and Mohit Bhardwaj and order of interim bail dated 12.05.2022 is made absolute qua them subject to the conditions envisaged under Section 438(2) Cr.P.C

15.02.2023
Jiten

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No