

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

208

**CRM-M 41510 of 2022
Date of Decision: 14.03.2023**

Jyoti Singh @ Pardeep Singh & Ors. *.....Petitioners*

Versus

State of Punjab *.....Respondent*

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH.

Present: Mr. Balbir Kumar Saini, Advocate for the petitioners.
Mr. Jaiteshwar S. Bhandhari, AAG, Punjab.
Mr. Kulbir Singh Saini, Advocate for the complainant.

GURBIR SINGH, J (ORAL)

The prayer in the present petition is for grant of anticipatory bail to the petitioners in case FIR No.0057 dated 20.04.2022 under Sections 307, 323, 148, 149 IPC, registered at Police Station Nihal Singh Wala, District Moga.

As per allegations, the FIR in question was registered on the basis statement of Jagdev Singh. He made a statement that on 19.04.2022 at about 8.30 a.m., he along with his brother Lovepreet Singh and cousin Gurkamal Singh was working as labourer in the Grain Market Machhike. Bhola Singh armed with wooden log, Mangal Singh armed with iron sabbal, Jyoti Singh (petitioner) armed with iron pipe, Joginder Singh armed with Kirpan, Yuvraj Singh armed with wooden rod and others came there. Kalu Singh caught hold of him (complainant) and Mangal Singh gave iron rod on his head. Joginder Singh gave kirpan blow hitting on his head. Yuvraj Singh gave blow with wooden log hitting on his head and Jyoti Singh also gave pipe blow hitting his head. He fell on the ground. While he was lying on the ground, all the above said persons caused injuries to him. When his brother

Lovepreet Singh and cousin Gurkamal Singh came to rescue him, then they were also given injuries. He raised alarm, which attracted Pritpal Singh at the spot, who rescued him from the clutches of assailants. Then all the above said assailants ran away from the spot along with their respective weapons.

Learned counsel for the petitioners submits that the petitioners and others were working as labourers in the local mandi. On the day of occurrence, there was sudden fight between parties and that there was no prior intention of both the parties to cause injuries. He further submits that two other co-accused have already been granted interim anticipatory bail by the Co-ordinate Bench of this Court vide order dated 27.07.2022 passed in CRM-M-32292-2022 (Annexure P-3). Vide order dated 01.08.2022, the parties have entered into a compromise (Annexure P-4). Now, there is no grudge or grievance against each other. Petitioners Harpreet Singh @ Kalu and Jaspreet Singh @ Joginder Singh were not named in the FIR. The injuries attributed to petitioner-Jyoti Singh are simple in nature.

On the other hand, the prayer is opposed by learned State counsel. He submits that the petitioners were members of the unlawful assembly. They caused injuries in pursuance of the common object of unlawful assembly.

Heard.

The challan is already presented against the co-accused. The parties have entered into a compromise. Two other co-accused have already been granted interim anticipatory bail by the Co-ordinate Bench of this Court vide order dated 27.07.2022 passed in CRM-M-32292-2022 (Annexure P-3). Injuries attributed to the petitioner-Jyoti Singh does not fall

within the ambit of provisions of Section 307 IPC.

Learned State counsel submits that in compliance of order dated 16.01.2023, the petitioners have already joined the investigation and they are not required for any custodial interrogation.

Taking note of the fact that the petitioners have already joined the investigation, interim order dated 16.01.2023, granting interim bail to the petitioners, is made absolute. The petitioners shall abide by the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.

Petition stands disposed of accordingly.

14.03.2023

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(GURBIR SINGH)
JUDGE

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