

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49141-2022
Date of Decision:-25.04.2023

JETHU SINGH AND OTHERS

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

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CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Dinesh Trehan, Advocate
for the petitioners.

Mr. Chaman Lal Pawar, Addl. A.G. Punjab.

Mr. P.S. Tur, Advocate for
Mr. Mohd. Yousaf, Advocate
for the complainant.

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KARAMJIT SINGH, J. (Oral)

1. Prayer is for grant of anticipatory bail in case having FIR No.194 dated 5.10.2022 registered under Sections 307, 324, 323, 148, 149, 506 IPC at Police Station Sadar, District Jagraon.
2. The allegations in nut-shell are that prior to the present occurrence, quarrel took place between Santokh Singh and Amritpal Singh on 26.9.2022 and the parties assembled on 29.6.2022 to settle the

dispute in the house of Jagjit Singh, Sarpanch and when the talks of compromise were going on, the petitioner-Jethu Singh raised *Lalkara* and gave fist blow on the left eye of complainant Hardev Singh and then petitioner-Hardeep Singh caught Santokh Singh from back side of his neck and Sukhwinder Singh @ Gollu took out his Siri Sahib and gave its blow in abdomen of Santokh Singh and then Hardeep Singh started giving fist blows to complainant and Santokh Singh. Gurdeep Singh gave *Kirch* blows on the right thigh of the complainant and thereafter Jagjit Singh Sarpanch and other persons intervened and when complainant was leaving the spot, Dharampal started pelting stones, one of which hit on left hand of complainant and Amritpal gave fist blows to the complainant and on account of the metallic bracelet worn by Amritpal, complainant suffered injury on his right thumb.

3. Counsel for the petitioners submits that the petitioners-Jethu Singh, Amritpal Singh and Hardeep Singh are falsely implicated in the present case and even otherwise only simple injuries are attributed to them and they have joined investigation with the police by virtue of previous order of interim bail passed by the Coordinate Bench of this Court.
4. The present petition is opposed by the counsel for the complainant, who submits that there are specific allegations against all the three petitioners and petitioner-Jethu Singh raised *Lalkara* and instigated other accused persons to open attack on the opposite party and thereafter petitioner-Hardeep Singh caught Santokh Singh from

backside of his neck while co-accused Sukhwinder Singh and Gurdeep Singh caused injuries to Santokh Singh and complainant with sharp edged weapons and even Amritpal Singh also attacked complainant and his brother.

5. State counsel on instructions from ASI Sher Singh apprised the Court that petitioners have joined the investigations and are not required by police for further investigation or for custodial interrogation.
6. Only simple injuries are attributed to the petitioners, who have already joined investigation with the police and they are not required for any further investigation by the police. Admittedly main accused Sukhwinder Singh and Gurdeep Singh are already arrested by the police as has been apprised by the State counsel. In the given circumstances, no purpose is going to be served by sending the petitioners behind the bars for custodial interrogation. Thus, without commenting on the merits of the case, the present petition is hereby allowed and order dated 21.10.2022 is hereby made absolute. The petitioners should abide by the conditions envisaged under Section 438(2) Cr.P.C.

25.04.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No