

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

201

CRM-M-54080-2023 (O&M)

Date of decision: 04.12.2023

Ashok Singh and another**...Petitioners****Versus****State of Punjab****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. B. S. Randhawa, Advocate
for the petitioners.

Ms. Himani Arora, AAG, Punjab.

MANISHA BATRA, J. (Oral)

1. Through the instant petition, filed under Section 438 of Code of Criminal Procedure, 1973, the petitioners seek anticipatory bail in case FIR No. 0075, dated 15.05.2022, under Sections 452, 354, 323, 506, 148 and 149 of the IPC at Police Station City Rupnagar, District Rupnagar.

2. Brief facts of the case relevant for the purpose of disposal of the present petition are that the aforementioned FIR was registered on the statement of complainant 'M' (*name withheld*) alleging therein that she was married to Kundan Singh in the year 2017. Due to a matrimonial dispute, she was residing in her parental house along with her two daughters. On 14.05.2022 at about 08:00 P.M., when she was present in her house along with her daughters, the petitioners along with other assailants entered into her house and attacked upon her. The clothes of the complainant were torn. She raised hue and cry, on which, her neighbour Jaskaran reached there and he rescued complainant from the hands of the petitioners and other accused.

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While leaving the spot, the petitioners along with other assailants started throwing brick bats and the brick bats hit on the person of Roji wife of Hari Singh. Her aunt Shindo and brother Balraj Singh also rushed to save her but the accused persons also inflicted injuries on his head. Thereafter, father of the complainant got all of them admitted to Civil Hospital, Rupnagar for treatment. The complainant further alleged that the reason behind the incident was that her husband Kundan Singh had joined Vijay Kumar's party. The complainant prayed for taking penal action against the culprits. After registration of the FIR, investigation proceedings have been initiated. The petitioners had filed an application for grant of anticipatory bail before the Sessions Judge, Rupnagar but the same was dismissed, vide order dated 31.05.2022 (Annexure P-2).

2. Vide order dated 23.10.2023, passed by this Court, the petitioners were released on interim bail and were directed to join investigation.

3. Learned State counsel, on instructions from ASI Harman Das, states that the petitioners have joined the investigation and they are not required for custodial interrogation.

4. In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 23.10.2023, granting interim bail to the petitioners, is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

04.12.2023

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No