



CRM-M-17015-2024

(1)

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

[210]**CRM-M-17015-2024****Date of decision: 02.09.2024**

GURBARINDER SINGH AND OTHERS

.....PETITIONERS

Versus

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Kushagra Mahajan, Advocate for the petitioners.

Mr. Navdeep Singh, DAG, Punjab.

Mr. Ankush Rampal, Advocate for respondents
No. 2 and 3.

MANJARI NEHRU KAUL, J. (ORAL)

1. Petitioners are seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case DDR No.24 dated 25.03.2021 under Sections 307, 148, 149 of the Indian Penal Code, 1860, and Sections 25 and 27 of the Arms Act, 1959, in FIR No.71 dated 24.03.2021 under Sections 323, 324, 148, 149 of the IPC registered at Police Station Beas, District Amritsar Rural.

2. On the last date of hearing i.e. on 20.05.2024 while noticing the following submissions made by the learned counsel for the petitioners, as well as learned counsel for the complainant respectively, this Court had granted the concession of interim bail to the petitioners and asked them to join investigation:-

“Learned counsel for the petitioners, inter alia, contends that it is a case of version and cross-version, wherein both the parties received injuries at the hands of each other; subsequently, the parties had amicably thereafter settled all their disputes.



xxxx xxxx xxxx xxxx xxxx

Learned counsel for the complainant has not disputed that it is a case of version and cross-version and it was on the spur of the moment that the parties, who reside in the same neighbourhood, entered into a quarrel leading to both sides sustaining injuries at the hands of each other. Learned counsel submits that since the misunderstanding between the parties has been removed, he would not even oppose the petitioner being extended the concession of anticipatory bail.”

3. Learned counsel for the petitioners has submitted that the petitioners, in compliance of order dated 20.05.2024, have joined the investigation and cooperated with the investigating agency.
4. Learned State counsel, on instructions from SI Harpal Singh, has not disputed the submission made by the counsel opposite. He, on further instructions, submits that the petitioners are not required for custodial interrogation.
5. In view of the above, present petition is allowed and interim order dated 20.05.2024 is made absolute subject to the conditions as envisaged in Section 438(2) Cr.PC.
6. Needless to add, in case the petitioners misuse the concession of bail granted to them, the State would be at liberty to seek cancellation of the same.

September 02, 2024

Anjal*

(MANJARI NEHRU KAUL)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No