

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-10911 of 2015 (O&M)
Date of Decision: 19.05.2015.

Jatinder Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Munish Puri, Advocate for the petitioner.

Mr. Nikhil K. Chopra, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for grant of anticipatory bail to the petitioner in case F.I.R. No. 166 dated 12.11.2014 under sections 452, 324, 323, 34 I.P.C (section 326 I.P.C added later on) registered at Police Station, Dhariwal.

On 6.4.2015, while issuing notice of motion, the following order was passed by this Court:-

“Counsel would inter alia contend that even though offence under Section 326 of the Indian Penal Code has been cited but the alleged datar blow attributed to the present petitioner is on the non-vital part of the body.

Notice of motion, returnable for 19.05.2015.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from S.I. Sarwan

Singh would apprise the Court that the petitioner has since joined

investigation. Counsel further submits that a *datar* has been recovered from the petitioner. It also stands conceded that the injury which is attributed to the petitioner and which has attracted the offence under section 326 I.P.C was on the non-vital part of the person of complainant namely Rajwinder Kaur.

Under such circumstances, custodial interrogation of the petitioner would not be warranted. Accordingly, the present petition is allowed. Order dated 6.4.2015, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

19.05.2015
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