

**102/A IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM No. M-19810 of 2015
DECIDED ON: JULY 06, 2015**

AMRIK SINGH

.....PETITIONER

VERUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Vikasdeep Singh, Advocate
for the petitioner.

Mr. Ish Puneet Singh, Advocate
for the complainant.

JASPAL SINGH, J (ORAL)

Instant petition has been preferred under Section 438 Cr.P.C seeking pre-arrest bail to the petitioner in case FIR No. 14 dated March 27, 2015 under Sections 323, 324, 326, 379-B, 356, 341, 148 and 149 IPC registered at Police Station Talwandi Chaudhrian, District Kapurthala.

2. Notice of motion.

3. On the asking of Court, Mr. J.S. Sekhon, AAG, Punjab accepts notice on behalf of respondent-State of Punjab. Copy of the petition be supplied to learned State counsel during the course of day.

4. Briefly stated the facts of instant case is that Amrik Singh gave a 'kirch' blow on the neck of Harjit Singh-complainant.

5. The contention of learned counsel for the petitioner is that though Amrik Singh has also sustained injuries at the hands of complainant party but

police has failed to register cross-version case. Even no DDR has been registered by police against complainant. Not only this, injuries on his person at the hands of complainant were caused with sharp edged weapon.

5. Be that as it may, if no case has been registered, during the investigation of this case, petitioner has liberty to approach the concerned authority to get the case registered against complainant. But non-registration of case is not relevant for the disposal of this petition. Since, injury attributed to the petitioner is on the vital part of body i.e. neck below head and recovery of 'kirch' has not been effected so far. This Court is of the considered view that custodial interrogation of petitioner is essential to unearth all the ramifications involved in this case and in the absence of custodial interrogation of petitioner investigation of this case is likely to be stultified.

6. Dismissed.

JULY 06, 2015
SHAM

(JASPAL SINGH)
JUDGE