

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(1)

CRM No.M-27309 of 2015

Inderpal Singh

...Petitioner

Versus

State of Punjab

...Respondent

(2)

CRM No.M-27412 of 2015

Harmanpreet Singh alias Ashish

...Petitioner

Versus

State of Punjab

...Respondent

Date of Decision: August 24, 2015

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.B.S.Bhalla, Advocate
for the petitioners.

Ms.Simsi Dhir Malhotra, Deputy Advocate General, Punjab
for the respondent-State.

Mr.Vishal Rattan Lamba and Mr.H.S.Oberoi, Advocates
for the complainant.

INDERJIT SINGH, J.

Both the above-mentioned cases are taken up together
being arisen from same FIR.

Petitioners have filed these petitions under Section 438
Cr.P.C. for grant of anticipatory bail in FIR No.115 dated 25.05.2015
under Sections 451, 324, 323, 325, 326, 379 (already deleted), 148

and 149 IPC, registered at Police Station Kotwali, District Patiala.

Notice of motion was issued and learned State counsel as well as learned counsel for the complainant appeared and contested the petitions.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

In the present case, during investigation, the police has deleted offence under Section 379 IPC regarding taking away of ₹5,25,000/- as stated in the FIR. The grievous injury falling under Section 326 IPC is stated to be on the right hand middle finger of the complainant. The petitioners have already joined the investigation. Learned State counsel contended that *kirpan* is yet to be recovered. It is case of version and cross version. The complainant party has suffered so many injuries. It is yet to be determined as to who is the aggressor party. No useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the case and in view of the fact that grievous injury is only on middle finger of right hand of the complainant and without discussing the merits of the case in minute details and without expressing any opinion on the merits of the case at this stage, I find merit in both the petitions and the same are allowed. The orders dated 18.08.2015 in both the petitions, granting interim bail to the petitioners, are made absolute.

August 24 , 2015
Vgulati

(INDERJIT SINGH)
JUDGE