

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

**C.R.M-M No.33171-2015
Date of decision : 05.10.2015**

Bagga Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Dilpreet Singh Gandhi, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl.A.G., Punjab.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

At the very outset, learned counsel for the petitioner has argued that in fact on the last date notice had been issued for 05.10.2015, which fact has been also corroborated by the learned Additional Advocate General.

In the circumstances it seems that on the order sheet which shows adjournment is erroneous and it is consequently corrected and be read as 'Notice for 05.10.2015'.

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case F.I.R. No.129 dated 27.08.2014 registered under Sections 323/324/452/148 and 149 IPC at Police Station

Majitha, District Amritsar Rural in which after inquiry Section 452 IPC was deleted and Section 326 IPC was added.

Learned counsel for the petitioner has argued that the very fact that Section 452 IPC was deleted by the Police shows that the version of the complainant was found false. Actually a fight had taken place between the parties and the petitioner has also suffered injuries.

Learned Additional Advocate General has accepted the fact but has argued that the injury to which Section 326 IPC has been attracted was attributed to the petitioner.

Be that as it may, keeping in view the fact that both the parties had a fight, I deem it appropriate to grant the concession of anticipatory bail to the petitioner.

Resultantly, the petition is allowed.

In the event of arrest of the petitioner, he shall be released on bail to the satisfaction of the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

October 5, 2015

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**