

CRM-M-43913-2014 (O&M)

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

**CRM-M-43913-2014 (O&M).
Decided on: February 5, 2015.**

Jitesh Dogra @ Mani

..... Petitioner(s)

Versus

State of Punjab

..... Respondent(s)

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CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.Vipin Mahajan, Advocate,
for the petitioner.**

Mr.J.S.Brar, AAG., Punjab.

**Mr.G.S.Simble, Advocate,
for the complainant.**

M.M.S. BEDI, J (ORAL)

Petitioner seeks concession of pre-arrest bail in a case registered at the instance of Shiv Bhiwani Singh alleging that the petitioner along with others had caused injuries on the person of the complainant.

Counsel for the complainant has intervened to oppose the application for pre-arrest bail.

A perusal of the file indicates that grievous injury with sharp edge weapon is attributed to the co-accused of the petitioner namely Laddi. Initially it was a case of cross-version on the basis of three unexplained injuries on the person of the petitioner.

So far as the petitioner is concerned, he is attributed simple injury with reverse side of datar on the back side of

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the shoulder of the complainant.

Without intending to create a precedent for the co-accused of the petitioner who has been attributed injury dangerous to life, the petitioner having joined investigation and having been attributed simple injury can be granted the concession of pre-arrest bail irrespective of the fact that cross-version has been considered to be false by the State.

The petition is allowed. Interim order dated 23.12.2014 is hereby made absolute. It is ordered that in case of arrest of the petitioner, he will be released on bail to the satisfaction of the arresting officer subject to the conditions that he will join investigation as and when required and will not commit the similar offence of which he is accused of during the pendency of the trial. He will also not browbeat the witnesses of the prosecution or hamper the trial in any manner. In case of violation of any of the conditions, it will be open to the complainant to approach this court for cancellation of bail.

February 5, 2015.
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(M.M.S. BEDI)
JUDGE