

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-12463 of 2016

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Date of decision:25.7.2016

Tarsem Singh and another

.....Petitioners

v.

State of Punjab

.....Respondent

....

Present: Mr. Veneet Sharma, Advocate for the petitioners.

Ms. Shivali, Assistant Advocate General, Punjab for the
respondent-State.

Mr. Vikas Gupta, Advocate for the complainant.

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Inderjit Singh, J.

The petitioners have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.60 dated 12.3.2016 registered for the offences under Sections 323, 324, 295, 452 and 34 IPC and (Section 326 IPC, which was added later on), at Police Station Patti, District Tarn taran.

Notice of motion has been issued in this case.

Ms. Shivali, learned Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and Mr. Vikas Gupta, learned Advocate has appeared for the complainant and contested this petition.

I have heard learned counsel for the petitioners as well as

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learned Assistant Advocate General, Punjab appearing for the respondent-State and learned counsel for the complainant and have gone through the record.

From the record, I find that the petitioners have joined the investigation and they are no more required for custodial interrogation. Petitioner No.1-Tarsem Singh, who was stated to be armed with a spade and caused the grievous injury on the face was already arrested in this case and has been released on regular bail by the Court after four days of the custody. It is also argued that petitioner No.1-Tarsem Singh has also received injuries in the occurrence.

As regards petitioner No.2-Lovepinder Singh, he was a juvenile at the time of occurrence as per Matric certificate, copy of which is Annexure-P.4. He was stated to be armed with a 'Datar' and he gave the injury on left arm. The offence under Section 326 IPC has been added later on. No useful purpose will be served by sending them in custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 11.4.2016 passed by this Court granting interim bail to the petitioners is made absolute.

July 25, 2016.

(Inderjit Singh)
Judge

hsp