

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

CRM-M-12497-2016 (O&M)

Date of decision : 23.08.2016

Gurkirat Singh @ Gori

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Arvinder Singh Khosa, Advocate,
for Mr. G.S. Kaura, Advocate,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab,
assisted by HC Gurnam Singh.

Mr. B.D. Sharma, Advocate,
for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks pre-arrest bail in case FIR No.115 dated 27.06.2015, registered under Sections 323, 324, 326 and 307 read with Section 307 of the Indian Penal Code, at Police Station Kartarpur, District Jalandhar.

Heard.

On 12.04.2016, the following order was passed:-

“Prayer is for grant of anticipatory bail in case FIR No.115 dated 27.6.2015 under Sections 323, 324, 34 IPC and later on added Section 326 IPC and 307 IPC, PS Kartarpur, Distt.Jalandhar.

As per allegations on the night of 26.6.2015

ATUL SETHI
12.08.2016
I attest to the accuracy and
authenticity of this document
Chandigarh

at around 10.30 pm complainant Pritam Singh was waylaid by the present accused petitioner and co-accused Harkamaldeep Singh and Harpreet Singh. Co-accused Harkamaldeep Singh is alleged to have inflicted two blows with datar on the head of complainant whereas petitioner was allegedly armed with a baseball bat and inflicted a blow on the back of right shoulder of the complainant-Pritam Singh.

It is contended that co-accused Harkamaldeep Singh has solemnised marriage with the daughter of Pritam Singh-complainant against the wishes of her family and present case has been falsely foisted upon the accused party in order to teach them a lesson. In support he submits that SSP(Rural)Jalandhar in his report dated 22.1.2016(P-3) has found the main accused Harkamaldeep Singh to be innocent. That apart, only a single simple injury has been attributed to the present petitioner.

Notice of motion for 19.5.2016.

In the event of arrest, the petitioner shall be released on bail on furnishing adequate bail and surety bonds to the satisfaction of the Arresting/Investigating Officer/Trial Court. Petitioner shall appear before the I.O., as and when called upon for investigation and shall also be bound by all the conditions stipulated in Section 438(2) Cr.P.C.

Learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated

12.04.2016, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

23.08.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No