

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

CRM-M No. 13124 of 2016 (O&M)

Date of Decision: 28.05.2016

Kartar Singh and another

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Damanjeet Singh, Advocate for
Mr. Karambir Singh Kahlon, Advocate
for the petitioners.

Mr. Kirat Singh Sidhu, Assistant Advocate General, Punjab
for the respondent/State assisted by ASI Harjeet Singh.

JASWANT SINGH, J. (ORAL)

Prayer in this petition under Section 438 of the Code of Criminal Procedure, is for grant of anticipatory bail on behalf of the accused persons, namely, Kartar Singh and Hardev Singh (petitioner Nos. 1 & 2, respectively) in case FIR No. 37, dated 20.05.2014, for offences under Sections 324, 34 of the Indian Penal Code (Section 326 of the Indian Penal Code added later on), registered at Police Station Sadar Batala, District Batala.

As per prosecution case on account of complainant Gurdev Singh submitting a complaint regarding illegal felling of trees by both the petitioners, they are alleged to have attacked the complainant. Petitioner-Kartar Singh armed with a *datar* is attributed an incised wound on the forehead above the right eye brow whereas petitioner no.2-Hardev Singh

armed with a *datar* allegedly inflicted an incised wound below the left knee joint.

It was contended that there is a version and cross version case. Injury attributed to petitioner no.1-Kartar Singh has been opined to be simple in nature whereas petitioner no.2-Hardev Singh is attributed an injury on the non-vital part of the body and grievous in nature, who simultaneously has also suffered a similar grievous injury on the right leg as per MLR (Annexure P-3).

At the time of hearing, learned counsel for the petitioners submits that pursuant to order dated 22.04.2016, passed by this Court, the petitioners have since joined the investigation and fully cooperated.

Learned State Counsel, assisted by ASI Harjeet Singh, does not refute the aforesaid factual position and further states that the petitioners are no longer required for custodial interrogation.

In view of the above, the interim protection/pre-arrest bail granted to the petitioners by this Court's order dated 22.04.2016, is made absolute.

Disposed of.

May 28, 2016

'dk kamra'

(JASWANT SINGH)
JUDGE