

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-23651 of 2016

.....

Date of decision:8.8.2016

Lakhwinder Singh alias Bau

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. Karan Choudhary, Advocate for the petitioner.

Mr. P.S. Paul, Deputy Advocate General, Punjab
for the respondent-State.

.....

Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.53 dated 15.4.2010 registered for the offences under Sections 323, 324, 148 and 149 IPC and (Section 326 IPC, which was added alter on) at Police Station Qadian, District Batala.

Notice of motion has been issued in this case.

Mr. P.S. Paul, learned Deputy Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner and learned Deputy Advocate General, Punjab appearing for the respondent-State and have gone through the record.

From the record, I find that as per the allegations, Lakhwinder Singh alias Bau gave a Kirpan blow which hit on the index finger of right hand of the complainant. He gave second blow of Kirpan, which hit on ring

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finger of left hand and he again gave Kirpan blow, which hit on the little finger of his right hand. The injury on the index finger is stated to be grievous. The grievous injury on the forehead is attributed to non-petitioner/co-accused Satnam Singh, who had already died.

The petitioner has already joined the investigation. The petitioner is not required for custodial interrogation. No useful purpose will be served by sending the petitioner to 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 29.7.2016 passed by this Court granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

August 8, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No