

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

CRM-M -27015 of 2016 (O&M)
Date of decision: 21.10.2016

Jaimal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: None for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Gurmej Singh.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.23 dated 23.03.2016, registered under Sections 326, 323, 427, 379, 506, 148 read with Section 149 of IPC, at Police Station Khem Karan, District Tarn Taran.

On 08.08.2016, this Court had passed the following order:-

“This is petition under Section 438 of Code of Criminal Procedure for grant of anticipatory bail in FIR No.23 dated 23.03.2016 under Sections 326, 323, 427, 379, 506 and 148 read with Section 149 IPC registered at Police Station Khem Karan, District Tarn Taran.

Learned counsel for the petitioner refers to Annexure P-1, the MLR of the petitioner to state that the petitioner suffered as many as 15 injuries at the hands of the complainant. In fact, the complainant party is aggressor.

Notice of motion for 21.10.2016.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:

- 1. That he shall make himself available for interrogation by a police officer as and when required;*
- 2. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*
- 3. That he shall not leave India without prior permission of the Court.”*

There is no representation on behalf of the petitioner.

The learned State counsel, on instructions submits that though the petitioner in pursuance of the order dated 08.08.2016 has joined the investigation, however, the recovery of weapon used i.e. kirpan is yet to be effected.

As per MLR (Annexure P-1), the petitioner suffered as many as 15 injuries at the hands of the complainant. The complainant is stated to be aggressor. 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 08.08.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

21.10.2016

sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable: Yes No