

CRM-M No.28274 of 2016 (O&M)

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

CRM-M No.28274 of 2016 (O&M)

Date of decision : 26.08.2016

Kulbir Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Vikas Arora, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. AG, Punjab.

Mr. Naveen Bawa, Advocate
for the complainant.

AJAY TEWARI, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioner under Section 438 Cr.P.C. in case FIR No.147, dated 19.06.2016 registered under Sections 323/324/307/506/34 IPC at Police Station Sultanwind District Amritsar.

Learned counsel for the petitioner states that the injury attributed to the petitioner is a simple injury and the co-accused to whom the grievous injury has been attributed has been released on bail.

Learned Additional Advocate General on instructions from ASI Partap Singh has accepted the fact that the injury attributed to the petitioner is a simple injury.

Learned counsel for the complainant has, however, argued that the injury may have turned out to be a simple injury but the attempt was to kill the complainant.

Keeping in view the fact that the injury is a simple injury, I do not deem it appropriate to deny anticipatory bail to the petitioner.

Resultantly, the petition is allowed. In the event of arrest of the petitioner, he shall be released on bail to the satisfaction of the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

The petitioner is directed to appear before the investigating officer on 05.09.2016 and on any other date as and when his presence is required. On his appearance the I.O. shall release him on bail to his satisfaction subject to the conditions envisaged under Section 438 (2) Cr.P.C. In case the petitioner does not appear before the investigating

officer in the aforesaid manner the present petition would be deemed to have been dismissed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

26.08.2016
Pooja sharma-I

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable : Yes/No