

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

**Criminal Misc. No. M-28916 of 2016
Date of Decision: 22.11.2016**

Raj Kumar

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Bikramjit Singh Randhawa, Advocate for the petitioner.
Mr. P.S. Grewal, DAG, Punjab for the respondent(s)-State.

...

Inderjit Singh, J.

Petitioner-Raj Kumar has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in DDR Rapat No.19 dated 21.03.2015, registered at Police Station Ramdas, District Amritsar under Sections 323, 324 and 341 of Indian Penal Code in cross version case bearing FIR No.25 dated 10.03.2015, registered at Police Station Ramdas, District Amritsar, under Sections 323, 324, 452, 148 and 149 of Indian Penal Code (Section 326 IPC added later on).

Notice of motion was issued in this case.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

It is a case of version and cross version and it is yet to be determined, who is a aggressor party.

Moreover, in pursuance of the interim order dated 22.08.2016, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from him. No useful purpose would be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 22.08.2016, 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.

November 22, 2016
jasmine

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No