

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

***CRM No.M-34568 of 2015 (O&M)
Date of Decision: 24.02.2016***

Lakhwinder Singh & another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Rahul Bhargava, Advocate for the petitioner.

Mr. A.S. Kler, DAG, Punjab.

Mr. Anil Chawla, Advocate for the complainant.

....

TEJINDER SINGH DHINDSA.J.

CRM No.38160 of 2015:

Application is allowed as prayed for.

Application is disposed of.

Main case:

In compliance of the order dated 04.12.2015 passed by this Court, learned State counsel has filed an affidavit dated 24.02.2016 of the Deputy Superintendent of Police, Sub Division Attari, District Amritsar (Rural). The same is taken on record and a copy has been furnished to the counsel for the petitioners.

Contents of the affidavit filed today would reveal that offence under Section 307 IPC has been added subsequently on the basis of opinion by Medical Officer i.e. Dr. Parminder Singh, Department of Forensic Medicine, Government Medical College, Amritsar dated 01.10.2015 opining injury no.1 suffered by complainant Gurpreet Singh @ Kali to be dangerous to life.

During the course of arguments today, it has also gone uncontroverted that injury no.1 is attributed to co-accused Ajji (non-applicant) and not to the present petitioners. That apart, State counsel upon instructions from ASI Harjinder Singh has apprised the Court that the petitioners have since joined investigation.

In view of the circumstances noticed hereinabove, custodial interrogation of the petitioners would not be warranted.

Petition is allowed. Orders dated 08.10.2015 and 04.12.2015 passed by this Court are made absolute.

Disposed of.

24.02.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**