

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

CRM No.M-38226 of 2016 (O&M)

Date of decision: December 16, 2016

Lovepreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Harpreet S.Multani, Advocate
for the petitioner.

Mr. P.S. Grewal, DAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Lovepreet Singh has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.44 dated 03.07.2016, registered at Police Station Sarhali, District Tarn Taran, under Sections 326, 323, 380, 148 and 149 of Indian Penal Code.

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.

From the record, I find that the present petitioner has been named in the FIR. He has been stated to be armed with *datar* and injury on the leg of the complainant is attributed to the petitioner, which is grievous in nature.

At the time of arguments, learned counsel for the petitioner argued that it is a case of version and cross-version. The present petitioner has also received four injuries including grievous one with sharp edged weapon. However, the police has not registered the cross-version. He also argued that one more person from the accused side has also received four injuries.

From the record, I find that it is a case of version and cross-version. It is yet to be determined who is the aggressor party.

In pursuance of the interim order dated 25.10.2016, passed by this Court, the petitioner has already joined the investigation. Weapon has already been recovered. The petitioner is now not required for custodial interrogation. Therefore, 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 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 25.10.2016, 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.

December 16, 2016
parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No