

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

CRM No.M-38145 of 2015 (O&M)

Date of Decision: 07.04.2016

Nikka Singh

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Rajesh Bhatheja, Advocate for the petitioner.

Mr. D.S. Virk, AAG, Punjab.

....

TEJINDER SINGH DHINDSA, J.

The present petition has been filed under Section 438 Cr.P.C. seeking the concession of anticipatory bail to the petitioner in Rapat No.16 dated 20.09.2015, under Sections 326/324/323/148/149 IPC (cross case) recorded in FIR No.160 dated 20.09.2015, under Sections 336/324/323/148/149 IPC and Sections 25/27/54/59 of the Arms Act, registered at Police Station City South Moga, District Moga.

On 06.11.2015, while issuing notice of motion, the following order was passed by this Court:

“Learned counsel for the petitioner has submitted that it is a case of version and cross-version.

Notice of motion for 21.01.2016.

In the meantime, in the event of arrest, petitioner be admitted to interim bail subject to the satisfaction of the Arresting Officer. Petitioner shall abide by the conditions envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”

Learned State counsel upon instructions from HC Lachman Singh would apprise the Court that the petitioner has since joined investigation.

It has gone uncontroverted that it is a case of version and cross-version.

Even though, the injury attracting offence under Section 326 IPC in the cross case is attributed to the present petitioner but the same is on the non-vital part of the body i.e. on the wrist of Surjit Singh.

Petitioner having joined investigation, is held entitled to the concession of pre-arrest bail.

Petition is allowed. Order dated 06.11.2015 passed by this Court is made absolute.

Disposed of.

07.04.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**