

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

**CRM No.M-42484 of 2016 (O&M)
Date of Decision: December 06, 2016**

Gurpreet Singh alias Gopy

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Prateek Pandit, Advocate
for the petitioner.

Mr.P.S.Grewal, Deputy Advocate General, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.37 dated 02.06.2016 under Sections 323, 324, 326, 148 and 149 IPC (Section 326 IPC added later on), registered at Police Station Dhilwan, District Kapurthala.

Notice of motion was issued and learned State counsel appeared and contested the 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 in the present case, the petitioner has been named in the FIR. He was armed with *datar* and he gave simple injury on the forehead of Kulwinder Singh. Learned counsel for the

petitioner argued that there is delay of 6 days in recording the FIR. He also argued that though as per prosecution version, injuries have been given by sharp edged weapon but as per the doctor's opinion, except one injury, all injuries have been caused with blunt weapon including the injury attributed to the petitioner.

The petitioner has already joined the investigation. The weapon has already been recovered. The petitioner is not required for interrogation or investigation purposes. He is not the main accused. No useful purpose will be served by sending the petitioner to custody till the disposal of the case.

Keeping in view the facts and circumstances of the present case, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find it a fit case where petitioner is entitled to benefit of anticipatory bail. Therefore, finding merit in the present petition, the same is allowed. The order dated 29.11.2016 granting interim bail to the petitioner is made absolute.

December 06, 2016
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No