

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-17464 of 2017
Date of Decision: 20.11.2017

Balwinder Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. A.G.S. Dhillon, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case bearing DDR No. 15 dated 28.11.2016 recorded for offences punishable under Sections 323/324/326/148/149 of Indian Penal Code (for short 'IPC') at Police Post Mavi Kalan, Police Station Sadar, Samana, Patiala in FIR No. 187 dated 27.11.2016 registered for offences punishable under Sections 458/323/148/149/506 IPC, at Police Station Sadar Samana, District Patiala.

Heard.

Learned State counsel on instructions from ASI Amarjit Singh submits that petitioner has joined the investigation. However, the police has added offence punishable under Section 326 IPC in FIR No. 187 dated 27.11.2016. The addition was made on 01.03.2017 after receipt of medical report. In this case injuries were suffered by persons on both the sides. Even in the cross-version case, there is injury constituting offence punishable under Section 326 IPC.

In view of above but without expressing any opinion on the merits of the case, this petition is allowed and order dated 17.05.2017 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

November 20, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No