

CRM-M-22722-2017

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

CRM-M-22722-2017

Date of Decision:10.08.2017

Hardeep Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. S.S.Rangi, Advocate,
for the petitioner.

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab.

Mr. Shashank Sharma, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner-Hardeep Singh has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.78 dated 17.07.2016, registered at Police Station Sudhar, District Ludhiana, under Sections 307, 326, 324, 427, 148 and 149 of the Indian Penal Code.

Notice of motion was issued. Learned State counsel put in appearance on behalf of the respondent-State and complainant also appeared through his counsel. They contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

CRM-M-22722-2017

From the record, I find that the petitioner is named in the FIR and stated to be armed with *kirpan* by the complainant. He has caused injury to Jaskaran Singh. However, injured-Jaskaran Singh in his statement stated that the present petitioner was armed with *soti* only.

Learned State counsel submitted that the said injury has been declared simple.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details; without expressing any opinion on the merits of the case and in view of the facts that it is a case of version and cross-version and it is yet to be determined by the trial Court on the basis of evidence as to who is the aggressor party, I find that the petitioner is not required for custodial interrogation and, therefore, no useful purpose will be served by sending him to custody. Finding merit in the present petition, the same is allowed. It is ordered that in the event of arrest, the petitioner be released on anticipatory bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

10.08.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No