

CRM-M-23137-2017

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

CRM-M-23137-2017

Date of Decision: 24.08.2017

Mithu Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Parminder Singh Sekhon and
Mr. Pavitar Singh Grewal, Advocates,
for the petitioner.

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

Mr. B.S.Cheema, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner-Mithu 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.48 dated 08.06.2017, registered at Police Station Longowal, District Sangrur, under Sections 323, 324, 341 and 34 IPC and Section 307 IPC added later on.

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

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

From the record, I find that as per the allegations, the present petitioner gave *tangli* blow to Lakhwinder Singh on his hand and right side of back etc. The injuries attributed to the petitioner are simple in nature. 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.

In pursuance of the interim order dated 05.07.2017 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending him 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 05.07.2017, 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.

24.08.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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