

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

201

**CRM-M-34466-2017
DATE OF DECISION: 04.12.2017**

HARJAP SINGH

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Ish Puneet Singh, Advocate
for the petitioner.

Mr. Kanisth Ganeriwala, Asstt.A.G., Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.94 dated 08.07.2017 under Sections 323/324/326/34 IPC registered at Police Station Sadar Kapurthala, District Kapurthala.

Learned counsel for the petitioner contends that allegations against the petitioner in the FIR are that he has given a datar blow from its reverse side on the back of right shoulder of the complainant, which injury has been found to be simple in nature. He further contends that petitioner is 67 years old and is suffering from cancer.

This Court, by the order dated 15.09.2017, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2)

Cr.P.C. When the matter was taken up on 26.10.2017, learned State counsel, upon instructions from ASI Jaswant Singh, had contended that the petitioner has not joined the investigation. The petitioner was granted another opportunity to appear before the Investigating Officer and to join investigation.

Learned State counsel, upon instructions from HC Jarnail Singh, states that although the petitioner has joined the investigation but the weapon is yet to be recovered from him.

In view of the submissions of learned counsel for the petitioner especially when the petitioner is 67 years old and suffering from cancer, the order dated 15.09.2017 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

04.12.2017

SwarnjitS

(ANUPINDER SINGH GREWAL)
JUDGE

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