

CRM-M-34938-2017

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

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Date of Decision:25.09.2017

Gurwinder Singh @ Ginda

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Naresh Jain, Advocate,
for the petitioner.

Mr. A.P.S.Gill, DAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Gurwinder Singh @ Ginda 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.114 dated 16.06.2017, registered at Police Station Nehianwala, District Bathinda, under Sections 307, 326, 324, 148, 149, 506 and 427 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this 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 the present petitioner is named in the FIR. Although he is stated to be armed with an axe, but neither any

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specific nor general injury is attributed to him. Neither the petitioner has actively participated in the commission of offence, nor he is required for custodial interrogation. Therefore, no useful purpose will be served by sending the petitioner 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 the present petition and the same is allowed. It is ordered that in the event of arrest, the petitioner be released on 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.

25.09.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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