

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-36004 of 2016 (O&M)
Date of Decision: 28.02.2017

Jagir Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Sandeep Arora, Advocate for the petitioner.

Ms. Harpreet K. Athwal, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.19 dated 1.5.2016 under sections 324, 323, 148, 149 I.P.C (sections 308 and 325 I.P.C were added later on), registered at Police Station, Kalanaur, Gurdaspur.

While issuing notice of motion on 6.10.2016, the following order was passed by this Court:-

“Learned counsel for the petitioner has argued that the co-accused had filed a petition i.e. Criminal Misc.No.M-29521 of 2016 which was allowed by this Court vide order dated 08.09.2016. In the said order, it was recorded that the main accused had surrendered and the other accused had been granted anticipatory bail.

Notice of motion for 28.02.2016.

Meanwhile, in the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel upon instructions from ASI Tarlok Chand would apprise the Court that the petitioner has since joined investigation. Even the challan stands presented and charges have been framed.

It has also gone uncontroverted that even as per version of the complainant the role attributed to the present petitioner was of having inflicted a *Daang* blow on the left knee of Baljinder Singh and such injury has been opined to be simple in nature.

In the considered view of this Court, custodial interrogation of the petitioner, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 6.10.2016, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

28.02.2017

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Whether speaking/reasoned:	Yes
Whether Reportable:	No