

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-41151 of 2016
Date of Decision: 12.01.2017

Jagdish Kumar @ Jacky

.....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. S.K. Virk, Advocate
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

Mr. Sandeep Arora, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to petitioners in case FIR No. 164 dated 31.08.2016 registered for the offences punishable under Sections 307, 148, 149 IPC at Police Station Division no. 8, Jalandhar.

Heard.

Learned counsel for the petitioner submits that the petitioner has joined the investigation and was allowed interim bail vide order dated 18.11.2016.

As per case of the prosecution, petitioner alongwith his co-accused chased Lal Chand @ Lally in the market. They were armed with swords and 20 injuries were caused to Lal Chand @ Lally with swords, which include five injuries on the head. FIR was got registered by Kuljit

Kaur wife of Lal Chand @ Lally, wherein no specific injury has been attributed to the petitioner.

Learned State counsel and counsel for the complainant submit that in the statement of Lal Chand @ Lally recorded by the police specific injury has been attributed to the petitioner, who had been evading his arrest till he got the order allowing him interim bail. She further submits that other three accused have since been arrested and petitioner has joined the investigation.

Keeping in view the above facts and without expressing any opinion on merits of the case, this petition is allowed and the order dated 18.11.2016 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that petitioner shall not leave India without the prior permission of the Court.
- (iv) that petitioner will seek regular bail on the presentation of challan in Court.

January 12, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No