

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

CRM No.M-42590 of 2016 (O&M)

Date of decision:16.02.2017

Darshan Singh

... Petitioner

Vs.

State of Punjab

... Respondent

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

Present:- Mr. Manuj Nagrath, Advocate for
Mr. Vivek Goel, Advocate for the petitioner.

Ms. Shivali, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J.

Petitioner seeks concession of pre-arrest bail in case FIR No.86, dated 15.08.2016, under Sections 324, 323 and 34 IPC (Section 326 IPC added later on), registered at Police Station Badhni Kalan, District Moga.

On 30.11.2016, while issuing notice of motion, the following order was passed by this Court:

“Learned counsel for the petitioner states that in the crossversion case, the petitioner has also suffered four injuries which are referred in MLR dated 15.8.2016 (Annexure P-1).

Notice of motion for 16.02.2017.

In the meantime, in the event of arrest of the petitioner, he shall be released on ad-interim bail to the satisfaction of the arresting officer. However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.

To be heard along with CRM-M-40914 of 2016 titled as Gurpreet Singh Versus State of Punjab.”

Learned State counsel submits that even though the petitioner

has joined investigation but injury attributed to the petitioner falls under Section 326 IPC.

Be that as it may, it is a case of version and cross version. The injury attributed to the present petitioner is on non vital part of the person of Parvinder Singh.

In the considered view of this Court custodial interrogation of the petitioner as such would not be warranted since he has already joined investigation.

In view of the above, the prayer made in the application is accepted. The order dated 30.11.2016 passed by this Court is made absolute.

Disposed of.

16.02.2017

hemlata/yogesh

**(TEJINDER SINGH DHINDSA)
JUDGE**

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|-----|----------------------------|----------|
| i) | Whether speaking/reasoned? | Yes / No |
| ii) | Whether reportable? | Yes / No |