

CRM-M-46337-2017

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

CRM-M-46337-2017

Date of Decision: 20.12.2017

Surinder Singh @ Shinda

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Ruhani Chadha, Advocate for
Mr. Dheeraj Mahajan, Advocate,
for the petitioner.

Mr. Ayush Sarna, AAG, Punjab.

Mr. A.S.Manaise, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner-Surinder Singh @ Shinda 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.84 dated 09.11.2017, registered at Police Station Bhaini Mian Khan, District Gurdaspur, under Sections 326, 324, 323 and 34 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 complainant has also appeared through his counsel. They contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

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From the record, I find that the present petitioner was stated to be armed with *datar* and gave grievous injury on the left arm of the injured.

At the time of arguments, learned counsel for the petitioner argued that it is a case of version and cross-version. The petitioner has also received grievous injury on the left forearm.

In pursuance of the interim order dated 06.12.2017 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details; without expressing any opinion on the merits of the case and in view of the fact that it is a case of version and cross-version and it is to be determined by the trial Court on the basis of evidence as to who is the aggressor party, I find that no useful purpose will be served by sending the petitioner to custody. Therefore, finding merit in this petition, the same is allowed. The order dated 06.12.2017, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

20.12.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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