

Sr. No.210

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-537 of 2017 (O&M)

Date of Decision:02.03.2017

Nishan Singh and another

... Petitioners

Versus

State of Punjab and another

... Respondents

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

Present:- Mr. H.S.Batth, Advocate,
for the petitioners.

Mr. P.S.Grewal, DAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking anticipatory bail to petitioner No.2 in case FIR No.107 dated 03.09.2015, under Sections 307, 323, 34 IPC and Sections 25, 27 of Arms Act, registered at Police Station Bhikhiwind, District Tarn Taran.

While issuing notice of motion, the following order was passed by this Court on 12.01.2017:-

“The present petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No.107 dated 03.09.2015 registered under sections 307, 323, 34 and Sections 25, 27 of Arms Act, registered at Police Station, Bhikhiwind, District Tarn Taran.

At the very outset, learned counsel makes a statement at the bar that he would not be pressing the instant petition qua petitioner no.1 namely Nishan Singh son of Jassa

Singh.

As per prayer and statement made by counsel, the present petition qua petitioner no. 1 Nishan Singh stands dismissed.

Counsel submits that in so far as petitioner no.2 Hardev Singh is concerned, the attribution is of having inflicted a baseball bat blow on the head of complainant Kulwinder Singh and which injury has been opined to be simple in nature. Further submitted that the offence under Section 307 I.P.C has been cited on account of a fire arm injury and which is specifically attributed to co-accused Nishan Singh son of Jassa Singh.

Notice of motion, returnable for 2.3.2017.

In the meanwhile, petitioner no.2 Hardev Singh is directed to join investigation.

In the event of arrest, petitioner no.2 Hardev Singh shall be released on interim bail subject to the satisfaction of the Arresting Officer/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 HC Karan Singh apprises the Court that petitioner No.2 Hardev Singh has since joined investigation.

Even the observations contained in the notice of motion order that the injury attributed to petitioner No.2 Hardev Singh and on the person

of the complainant Kulwinder Singh having been opined to be simple in nature has not been disputed.

Accordingly, the present petition is allowed qua petitioner No.2 Hardev Singh. Order dated 12.01.2017, passed by this Court, is made absolute.

Petition disposed of.

02.03.2017

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No