

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-9619 of 2017

.....

Date of decision:3.5.2017

Jyoti Mahajan alias Manoj Kumar

.....Petitioner

v.

State of Punjab

.....Respondent

.....

Present: Mr. Bikramjit Aroura, Advocate for the petitioner.

Mr. V.P.S. Sidhu, Assistant Advocate General, Punjab
for the respondent-State.

.....

Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.0007 dated 13.1.2017 registered for the offences under Sections 452, 323, 324, 148 and 149 IPC and (Sections 325 and 326 IPC, which were added later on) at Police Station Dhariwal, District Gurdaspur.

Notice of motion has been issued in this case.

Mr. V.P.S. Sidhu, learned Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner and learned Assistant Advocate General, Punjab appearing for the respondent-State and have gone through the record.

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From the record, I find that the present petitioner is named in the FIR. No specific injury has been attributed to him though he is stated to be armed with a 'Datar'. The learned State counsel argued that the injured has stated that the injury had been given on left ankle by the present petitioner, though in the FIR, it is not mentioned. It is a case of version and cross-version.

The petitioner has already joined the investigation. The petitioner is not required for custodial interrogation. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 27.3.2017 passed by this Court 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.

May 3, 2017.

(Inderjit Singh)
Judge

hsp

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