

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.207

CRM-M No.9709 of 2017

Date of decision: 15.05.2017

Talwinder Singh @ Jatt

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Naveen Batra, Advocate, for the petitioner.

Mr. Neeraj Yadav, AAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

Through the present petition filed under Section 438 Cr.P.C., the petitioner seeks the concession of anticipatory bail in FIR No.137 dated 05.11.2015, registered under Sections 341/324/452/148/149 IPC and Section 307 IPC added subsequently, at Police Station Anandpur Sahib, District Rupnagar.

On 22.03.2017, while issuing notice of motion, this Court had granted ad-interim anticipatory bail to the petitioner subject to the satisfaction of the Arresting officer.

Seeking anticipatory bail for the petitioner, learned counsel submits that the petitioner has been falsely implicated in this case; there is no other criminal case in which the petitioner is involved; no specific injury is attributed to the petitioner; even otherwise, the injuries on the injured are simple in nature; the matter between the petitioner and the complainant has been compromised and that under the interim orders of this Court, the petitioner has not only joined investigation, he has fully cooperated with the investigating agency.

Learned State counsel, on instructions from ASI Karnail Singh, admits that the petitioner has joined the investigation and has fully cooperated with the investigating agency; the matter between the petitioner and the complainant has been compromised; there is no other criminal case pending against him and that injuries on the injured have been declared

simple. However, grant of bail is opposed on the ground that the petitioner had attacked the injured with murderous intent.

Since no specific injury is attributed to the petitioner; there is no other criminal case in which he is involved; all the injuries on the injured are simple in nature; the matter between the petitioner and the complainant having been compromised and that under the interim orders of this Court, the petitioner has not only joined the investigation, he has fully cooperated with the investigating agency, I am of the opinion that the present petition deserves to be allowed. Resultantly, the order dated 22.03.2017 granting ad-interim anticipatory bail to the petitioner is made absolute subject to the condition prescribed under Section 438(2) Cr.P.C.

Nothing observed herein above shall be considered to be an expression of opinion by this court on the merits of the case.

If during the pendency of the present petition, the petitioner is found indulging in any other criminal activity/misusing the concession of bail, it will be open to the State to move an appropriate application before the competent Court/this Court for cancellation of the granted bail to the petitioner through this order.

(DEEPAK SIBAL)
JUDGE

May 15, 2017
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<i>(i) Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>(ii) Whether reportable</i>	<i>Yes/No</i>