

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

CRM-M-1051-2018 (O&M)

Date of decision:03.05.2018

Sukhwinder Singh

... Petitioner

Vs.

State of Punjab

... Respondent

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

Present: Mr. Prateek Pandit, Advocate for the petitioner.

Mr. H.S. Sullar, DAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

This order shall dispose of the instant petition seeking concession of anticipatory bail to the petitioner in case FIR No.150, dated 08.11.2017, under Sections 323/324/326/34 IPC (Section 326 IPC has been added subsequently), registered at Police Station Sadar, District Kapurthala.

While issuing notice of motion, the following order was passed by this Court on 12.01.2018:

“Petitioner seeks concession of anticipatory bail in case FIR No.150, dated 08.11.2017, under Sections 323/324/326/34 IPC (Section 326 IPC added subsequently), registered at Police Station Sadar, District Kapurthala.

Counsel contends that the present FIR is a counter blast to the earlier FIR i.e. FIR No.143 dated 26.10.2017 under Sections 323/324/326/34 IPC (offence under Section 326 added later on), registered at Police Station Sadar, District Kapurthala which had been lodged by the present petitioner against the complainant Gurdeep Singh. Counsel adverts to the

MLR placed on record at Annexure P-3 of the petitioner which would reflect that the petitioner himself has suffered grievous injuries.

Notice of motion, returnable for 23.01.2018.

On the asking of the Court, Mr. Sidakmeet Singh Sandhu, learned AAG, Punjab accepts notice. A complete copy of the petition has been furnished to learned State counsel and who would complete instructions in the matter by the adjourned date.”

Thereafter, on 23.01.2018, the following order was passed by this Court:

“During the course of hearing, it has gone uncontroverted that it is a case of version and cross-version. The present petitioner himself has suffered grievous injuries at the hands of the complainant Gurdeep Singh and which has led to the registration of FIR No. 143 dated 26.10.2017, under Sections 323, 324, 326 and 34 IPC at Police Station Sadar, District Kapurthala which was earlier in point of time to the present FIR.

List for further consideration on 15.03.2018.

In the meanwhile, petitioner is directed to appear before Investigating Officer and to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/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 ASI Kuldeep Singh informs the Court that the petitioner has since joined investigation.

That apart, the observations made by this Court in the order dated 23.01.2018 have gone unrebutted.

In view of the above, prayer made in the instant petition is accepted. Order dated 23.01.2018 passed by this Court is made absolute.

Disposed of.

03.05.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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