

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

CRM-M No.24425 of 2018
Date of decision: 7th June, 2018

Harsh Garg

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Amarjit S. Ahluwalia, Advocate for the petitioner.
Mr. H.S. Grewal, Addl. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Harsh Garg in this first anticipatory bail application filed under Section 438 Cr.P.C. in case bearing FIR No.101 dated 23.04.2018 registered at Police Station Kotwali Patiala, District Patiala under Sections 354, 341, 323, 506, 34 IPC, are that he and his family had objected the complainant Madhu Thakur for running the billiards-pool table at her residence which was a cause of inconvenience to the neighbours including the petitioners, as a consequence of which on 22.04.2018 both the parties have accosted each other wherein both sides received injuries.

Contentions of the learned counsel for the petitioner are that it is a case of version and cross-version and only simple injuries are

attributed and that all the offences except one under Section 354 IPC are bailable.

Though on behalf of the State, Mr. H.S. Grewal, Addl. Advocate General, Punjab has sought to oppose grant of bail to the petitioner on the grounds that custodial interrogation of the petitioner is required and that they have misbehaved with a woman and thus no cause for grant of bail is made out.

Appreciating the submissions of the two sides, as per the MLR relied upon by the petitioner side, the petitioner has received four injuries which is reflected from the MLR (Annexure P2) and regarding which an application/representation (Annexure P3) was moved before the police authorities and which is under consideration. In the light of the same, being a case of version and cross-version wherein both sides have received injuries and it is a debatable issue as to which of the parties is the aggressor, and when nothing is to be recovered from the petitioner, this Court is of the opinion that no useful purpose will be served by sending the petitioner behind bars in the present case. Accordingly, in the event of arrest, petitioner is ordered to be released on bail to the satisfaction of the Arresting Officer till submission of report under Section 173 Cr.P.C. (challan). He shall continue to join investigation and shall furnish an undertaking that he shall abide by the conditions specified under Section 438 (2) Cr.P.C. Thereafter, the

petitioner will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

June 7, 2018
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No