IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.202

CRM-M-3350-2018
Date of decision : 23.03.2018

Ramesh Chand ..... Petitioner

VERSUS

State of Punjab ..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. G.P.S. Pathania, Advocate, for the petitioner.

Mr. K.S. Sidhu, DAG, Punjab.

Mr. M.K. Dhot, Advocate, for the complainant.

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SUDHIR MITTAL, J. (Oral)

The petitioner seeks anticipatory bail in case FIR No.0074 dated 12.08.2017, registered at Police Station Shahpurkandi, District Pathankot, under Sections 447, 511, 323, 148 and 149 IPC and Section 308 IPC was added later on.

It is not in dispute that pursuant to order dated 25.01.2018, the petitioner has joined investigation. The alleged weapons of assault have also been recovered.

Mr. M.K. Dhot, Advocate, puts in appearance on behalf of the complainant and submits that serious injuries have been caused by the petitioner. The hearing of the complainant in the right ear has been severely affected and she has also suffered fracture of the right parietal bone. She had to be operated upon and remained unconscious for a number of days. Thus, it is submitted that custodial interrogation of the petitioner is necessary.

I have carefully heard learned counsel for the parties.

Ramandeep Singh
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The nature of the injuries will dictate the provisions of law, which are to be invoked for the conviction of the petitioner, in case the learned trial Court comes to the conclusion that the petitioner is guilty.

At this stage, the requirement is that a fair and prompt investigation should be carried out.

The petitioner has been cooperating with the investigation and is directed to continue to do so. No useful purpose would be served by putting him behind the bars at this stage, when he is cooperating with the investigation and nothing is to be recovered from him.

In view of the above, the petition is allowed and the interim bail granted to the petitioner vide order dated 25.01.2018, is made absolute.

(SUDHIR MITTAL)
JUDGE

23.03.2018
Ramandeep Singh

Whether speaking / reasoned Yes / No
Whether Reportable Yes/ No

Ramandeep Singh
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