

CRM-M-37021-2018

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

CRM-M-37021-2018

Date of Decision: 12.09.2018

Jagir Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. B.B.S.Randhawa, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Mr. Karambir Singh Kahlon, Advocate,
for the complainant.

INDERJIT SINGH, J. (Oral)

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case DDR No.21 dated 02.07.2018, under Sections 323, 324, 452 and 34 IPC and Section 326 IPC added later on, registered at Police Station Sri Hargobindpur in FIR No.72 dated 01.07.2018, registered at Police Station Sri Hargobindpur, District Batala, under Sections 326 and 34 IPC.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and complainant has also appeared through his counsel. They contested this petition.

CRM-M-37021-2018

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that the present petitioner is named in the DDR and stated to be armed with *datar*. He has caused grievous injury on the wrist of Sarabjit Kaur. It is a case of version and cross-version and it is to be determined by the trial Court on the basis of evidence as to who is the aggressor party. The opposite party has also received injuries including grievous injury.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find that no useful purpose will be served by sending the petitioner to custody. Therefore, finding merit in the present petition, the same is allowed. It is ordered that in the event of arrest, the petitioner be released on bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

12.09.2018
parveen kumar

(INDERJIT SINGH)
JUDGE

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