

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-37072 of 2018

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Date of decision:03.10.2018

Rupinder Pal Singh

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. Vivek K. Thakur, Advocate for the petitioner.

Mr. V.G. Jauhar, Senior Deputy Advocate General, Punjab
for the respondent-State.

Mr. L.S. Sidhu, Advocate for the complainant.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.48 dated 5.8.2018 registered for the offences under Sections 323, 324, 341, 295-A, 148, 149 and 506 IPC and (Section 326 IPC, which was added later on) at Police Station Bholath, District Kapurthala.

Notice of motion has been issued in this case.

Mr. V.G. Jauhar, learned Senior Deputy Advocate General, Punjab has put in appearance on behalf of the respondent-State and Mr. L.S. Sidhu, learned Advocate appeared for the complainant and contested this petition.

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 stated to be

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armed with a sword and two injuries have been attributed to him with sword. A perusal of the record shows that injury No.1 is stated to an abrasion on the forehead which cannot be caused with sharp edged weapon. As regards injury No.2, it is an incised wound on the forearm. This injury is stated to be simple. The petitioner has already joined the investigation. He is not required for custodial interrogation. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 28.8.2018 passed by this Court granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

October 03, 2018.

(Inderjit Singh)
Judge

hsp

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