

Sr. No.205

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

CRM No. M-43850 of 2017 (O&M)

Date of Decision: 27.03.2018

Jagtejpal Singh

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. S.S.Dhaliwal, Advocate for
Mr. M.S.Basra, Advocate,
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of pre arrest bail in case FIR No.15 dated 19.04.2017, under Sections 452/323/324/326/34 of IPC, registered at Police Station Sri Hargobindpur, District Gurdaspur.

While issuing notice of motion, the following order was passed by this Court on 20.11.2017:-

“It is inter alia contended by learned counsel for the petitioner and has placed reliance on Annexure P2 to show that the lone injury attributed to the petitioner is simple in nature and the one covered under Section 326 IPC is attributed to his co-accused who has already been released on bail and that nothing is to be recovered from the petitioner.

Notice of motion for 27.03.2018.

Meanwhile, in the event of arrest, the petitioner shall be released on interim bail to the satisfaction of arresting/investigating officer. The petitioner shall, however, join the investigation as and when called for and shall also abide by the conditions specified under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from HC Kanwaljit Singh, Police Station Sri Hargobindpur, District Gurdaspur apprises the Court that petitioner has since joined investigation. That apart, it has gone uncontroverted that the sole injury attributed to the present petitioner was opined to be simple in nature and the injury that has attracted offence under Section 326 IPC was specifically attributed to Ranbir Singh co-accused and who has since been released on bail.

In view of the above, prayer made in the petition is accepted.

Order dated 20.11.2017 passed by this Court is made absolute.

Disposed of.

27.03.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes
No