

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-45282 of 2018

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Date of decision:28.11.2018

Jarnail Singh

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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

Ms. Monika Jalota, 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, 506 and (Section 326 IPC, which was added later on) at Police Station Bholath, District Kapurthala.

Notice of motion has been issued in this case.

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

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

The present petitioner is named in the FIR. He is stated to be armed with a 'Datar' and he gave injury below the knee of right leg which is stated to be bone deep and has been declared as grievous.

Learned counsel for the present petitioner argued that the petitioner has been falsely implicated in the present case due to political rivalry and further no such injuries have been caused. These injuries have been fabricated by the complainant side. He relies upon some photographs and CCTV footage for this purpose.

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 23.10.2018 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.

November 28, 2018.

(Inderjit Singh)
Judge

hsp

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