

Sr. No.213

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

CRM No. M-47468 of 2017 (O&M)

Date of Decision: 08.02.2018

Harjeet Singh @ Harry

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Vikram Jeet Singh, Advocate,
for the petitioner.

Mr. S.S.Sandhu, 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 anticipatory bail to the petitioner in case FIR No.308 dated 14.10.2017, under Sections 307/336/148/149 and Sections 25/54/59 of Arms Act, registered at Police Station 'A' Division, Amritsar.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Rajpal Singh.

Occurrence is stated to be of 14.10.2017.

During the course of arguments, it has gone uncontroverted that insofar as the present petitioner is concerned, he has been specifically attributed a datar blow which landed on the head of complainant/injured Rajpal Singh and such injury has been opined to be simple in nature.

On 21.12.2017, the following order was passed by this Court:-

“Learned State Counsel, on instructions from ASI Bikram Singh, states that the injury attributed to the petitioner is simple in nature though on the head of the injured.

Adjourned to 08.02.2018.

In the meanwhile, in the event of arrest of the petitioner, he shall be released on ad interim bail to the satisfaction of the arresting officer. However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.PC.”

Learned State counsel apprises the Court that the petitioner has since joined investigation even though the alleged weapon used in the occurrence i.e. datar has not yet been recovered.

It has also been informed that co-accused and who had inflicted firearm injuries on the person of Rajpal Singh and which has led to the attraction of offence under Section 307 IPC already stands arrested in a different FIR.

In the totality of the circumstances, custodial interrogation of the petitioner would not be warranted.

Petition is allowed. Order dated 21.12.2017, passed by this Court is made absolute.

Disposed of.

08.02.2018

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No