

CRM-M-50024-2017

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

CRM-M-50024-2017

Date of Decision: 03.08.2018

Bhupinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Vikas Garg, Advocate for
Mr. Vivek Goel, Advocate,
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner-Bhupinder Singh 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 FIR No.148 dated 13.10.2017, registered at Police Station Guruhar Sahai, District Ferozepur, under Sections 436, 323, 341 and 34 of the Indian Penal Code.

Notice of motion has been issued in this case. Learned State counsel put in appearance on behalf of the respondent-State and contested this petition.

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

From the record, I find that FIR, in the present case, has been registered on the statement of Hardev Singh. In his statement, complainant

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stated that on 11.07.2017, at about 10.30 A.M, Bhupinder Singh (present petitioner) having oil cane alongwith co-accused Kanwar Nau Nihal Singh came at his farm and abused him. They scuffled with the complainant. The present petitioner tried to put oil on the complainant, but it fell on the cot, which got burnt. It is also the allegation that when the complainant tried to run away, they caught hold of him and gave *dang* blow on the right side of his head. It is also mentioned in the FIR that there is a land dispute between the parties.

In pursuance of the interim order dated 28.12.2017 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending him to custody.

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 merit in this petition and the same is allowed. The order dated 28.12.2017, 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.

03.08.2018

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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