

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

Criminal Misc. No. M-5266-2018

Date of Decision: 26.07.2018

Kamaljit Singh @ Kamla

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Karan Choudhary, Advocate for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

...

Inderjit Singh, J.

Petitioner-Kamaljit Singh @ Kamla has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.84 dated 18.11.2017, registered at Police Station Tibber Tehsil and District Gurdaspur, under Sections 452, 295, 326, 324, 323, 148 and 149 of Indian Penal Code.

Notice of motion was issued in this case.

Learned State counsel has appeared 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 the present petitioner has been named in the FIR. He was stated to be armed with datar. A simple injury on middle finger of the complainant has been attributed to him, which falls under Section 324 IPC. The grievous injury, which is on little finger of the complainant has been attributed to co-accused Samsher Singh.

In pursuance of the interim order dated 08.02.2018, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. No useful purpose would be served by sending the petitioner 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 08.02.2018, 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.

26.07.2018
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No