

CRM-M-5252-2019

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

CRM-M-5252-2019

Date of Decision: 26.02.2019

Sukhdeep Singh @ Kakku

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Bikramjit Singh Sidhu, Advocate for
Mr. S.P.S.Sidhu, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Mr. A.S.Brar, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner 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.10 dated 12.01.2019, registered at Police Station Dharamkot, District Moga, under Sections 326, 325, 148 and 149 of the IPC.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and complainant has also appeared through his counsel. They contested this petition.

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

From the record, I find that the present petitioner is named in the FIR and stated to be armed with *kirpan*. The grievous injury under Section 326 of the IPC is attributed to the present petitioner. The grievous injury is on the little finger of injured.

Learned counsel for the petitioner submitted that the petitioner had also received injuries.

In pursuance of the interim order dated 04.02.2019 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from him. 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 04.02.2019, 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.

26.02.2019

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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