

**CRM-M-16898-2019**

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

**CRM-M-16898-2019**

**Date of Decision: 23.05.2019**

Vishal

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr. Varun Sharma, Advocate,  
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

Mr. Surinder Thakur, Advocate,  
for the complainant.

**INDERJIT SINGH, J. (Oral)**

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.84 dated 21.03.2019, registered at Police Station Model Town, Tehsil and District Hoshiarpur, under Sections 308, 452, 323, 427, 148, 149 and 506 of the Indian Penal Code.

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 gone through the record.

From the record, I find that the present petitioner is named in the FIR. He is stated to be armed with a brick and has caused simple injury on the right shoulder of Moti Lal.

Learned counsel for the petitioner submits that main accused, who caused grievous injury dangerous to life, has already been granted the benefit of anticipatory bail by the Court of Session.

In pursuance of the interim order dated 12.04.2019 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 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 12.04.2019, 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.

**23.05.2019**  
parveen kumar

**(INDERJIT SINGH)**  
**JUDGE**

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