

CRM-M-40051-2018

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

CRM-M-40051-2018

Date of Decision: 15.01.2019

Resham Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Dinesh Mahajan, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

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.83 dated 15.07.2018, registered at Police Station Sri Hargobindpur, Tehsil Batala, District Gurdaspur, under Sections 323, 326, 148 and 149 of the Indian Penal Code.

Notice of motion was 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 it is a case of version and cross-version. The injuries were caused to the petitioner's side also with sharp edged weapon. As per the allegations in the FIR, the petitioner has been

CRM-M-40051-2018

attributed *datar* injury on left wrist of Baljit Singh. At the time of trial, it will be decided on the basis of evidence by the trial Court as to who is the aggressor party.

In pursuance of the interim order dated 05.10.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. No useful purpose will be served by sending the petitioner to custody in view of the facts and circumstances of the present case.

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 05.10.2018, 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.

15.01.2019

parveen kumar

(INDERJIT SINGH)
JUDGE

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