

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-29011-2019 (O & M)
Date of Decision: November 08, 2019

JOGINDER SINGH AND ORS

.....PETITIONERS

VERSUS

STATE OF PUNJAB

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Navkiran Singh, Advocate for the petitioner.

Mr. N.K. Banka, DAG, Punjab.

Mr. Vijay Rana, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioners are seeking anticipatory bail in FIR No.35 dated 17.05.2019, under Sections 323, 324, 452, 307, 148m 149 and 326 of the Indian Penal Code ('IPC' - for short), registered at Police Station Begowal, District Kapurthala.

Learned counsel for the petitioners contends that the incident is outcome of a sudden fight between neighbours over street lights. He also contends that petitioner No.2 has caused injury on the non-vital part of the body while injury attributed to petitioner No.3 is simple in nature.

The petition qua petitioner No.1-Joginder Singh had been dismissed as withdrawn by the order dated 19.07.2019.

The injuries which are attributed to petitioner No.2 - Pritam Singh are found to be grievous in nature which were caused with the sharp edged 'dadar'. Therefore, petitioner No.2 would not be entitled to anticipatory bail.

The petition qua petitioner No.2 stands dismissed.

Petitioner No.3 - Sukhwinder Singh is alleged to have caused a simple injury.

This Court, by the order dated 01.10.2019, had directed petitioner No.3 to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, upon instructions from ASI Balkaran Singh, states that petitioner No.3 has joined investigation and is not required for custodial interrogation. He has also filed a short affidavit of Dr. Simrat Kaur (IPS), Assistant Superintendent of Police (Sub Division) Bholath, District Kapurthala. The same is taken on record.

In view of the submissions of learned counsel for petitioner No.3 and petitioner No.3 having joined investigation, the order dated 01.10.2019 granting interim bail to the petitioner No.3 is made absolute.

However, petitioner No.3 shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

November 08, 2019
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No