

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-32902-2019

Date of decision: 05.09.2019

Manjeet Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Ms. Riffi Birla, Advocate
for the petitioner.

Mr. Jagmohan Ghumman, DAG, Punjab.

Mr. K.S. Sidhu, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.23 dated 23.04.2019 under Sections 324/34 IPC (Section 326 IPC was added later on), registered at Police Station Amir Khas, District Fazilka.

While granting interim bail to the petitioner, following order was passed by this Court on 08.08.2019: -

“... Since the bar is on strike for the last about twelve days, there is no appearance on behalf of the petitioner.

A perusal of the FIR shows that the incident is of 17.04.2019 and the MLR of the complainant was conducted on the next day i.e. 18.04.2019, whereas the FIR was registered on 23.04.2019

under Sections 324/34 of the IPC and the petitioner was released on bail, however, later on, Section 326 IPC was also added.

A perusal of the MLR also shows that the injury, i.e. incised wound, was on the left forearm of the complainant, which is on non-vital part of the body...”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Jarnail Singh, has not disputed the factual position and states that the petitioner is no more required for any further investigation and kappa has already been recovered.

Learned counsel for the complainant has however submitted that there are two incidents pertaining to 17.04.2019 and 18.04.2019 and the FIR was registered with regard to the incident of 18.04.2019.

After hearing learned counsel for the parties, considering the fact that since the petitioner has joined the investigation and is attributed injury on non-vital part of the body, this petition is allowed and the interim bail granted to the petitioner vide order dated 08.08.2019 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

05.09.2019
vishnu

[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No