

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

CRM No.M-40964 of 2018 (O&M)

Date of Decision: January 29, 2019

Sukhwinder Singh @ Sukha

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Amit Arora, Advocate
for the petitioner.

Ms.Monika Jalota, DAG, Punjab
for the respondent-State.

Mr.Bikramjit Aroua, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.159 dated 02.08.2018 under Sections 323, 326, 148, 149 and 506 IPC, registered at Police Station Sadar Patti, District Tarn Taran.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

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 petitioner is named in the FIR and

he is stated to be armed with *kirpan*. He gave grievous injury on the elbow

of left arm of injured. Learned State counsel as well as learned counsel for the complainant contended that injury was so deep, even the injured has not recovered so far and still suffering due to the injury.

Learned counsel for the petitioner argued that petitioner has also suffered injury and has placed on record the MLR but learned State counsel contended that cross case has been cancelled being found false.

Keeping in view the facts and circumstances of the present case, nature and gravity of the offence and in view of the fact that weapon is still to be recovered, I find that petitioner is required for custodial interrogation and no ground is made out for granting benefit of anticipatory bail to him.

Therefore, finding no merit in the present petition, the same is dismissed.

January 29, 2019
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No