

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

208

**CRM-M-20303-2020
Decided on : 28.09.2020**

Manjot Singh @ Jota

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr.Yogesh Goel, Advocate, for the petitioner.

Mr.B.S.Sewak, Addl.A.G., Punjab.

(The proceedings are being conducted through video conferencing,
as per instructions.)

G.S. Sandhawalia, J. (Oral)

Petitioner seek anticipatory bail in a petition filed under Section 438 Cr.P.C. in FIR No.59 dated 06.05.2020 under Sections 308, 323, 341, 506, 148 & 149 IPC registered at Police Station City Jagraon District Ludhiana.

Counsel for the petitioner submits that in terms of the order dated 24.07.2020, petitioner has joined investigation, which fact has been vouched for by the State Counsel, on instructions from ASI-Atma Singh. He further submits that petitioner's antecedents are clean and he is not involved in any other case of similar nature and is not required for further investigation.

Relevant part of the order dated 24.07.2020 reads as under:

“Counsel inter alia contends that though the attribution is of khanda blow to the complainant Gurpreet Singh as per the supplementary statement which was recorded 2 days after the incident, but the injuries as such have been declared simple in nature. It is, thus, contended that it would be a moot point whether Section 308 IPC is made out or not, which is the non-bailable offence. Reference is made to the MLR to show that opinion on injury nos. 1, 2 and 3 had to be given after X Ray. It is submitted that the same has also been shown as simple and there is no fracture as such.”

In view of the above facts, no useful purpose would be served by taking the petitioner in custody.

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Accordingly, this Court is of the opinion that custodial interrogation of the petitioner, in the facts and circumstances of the present case is not necessary. In such circumstances, this Court is of the opinion that interim order dated 24.07.2020 is liable to be confirmed. Ordered accordingly.

SEPTEMBER 28, 2020

sailesh

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No