

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

203

CRM-M-1312-2021 (O&M)

DATE OF DECISION: 14.07.2021

SUKHJIT SINGH AND ANOTHER

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Munish Puri, Advocate for the petitioners.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Mr. Gagandeep Singh Simble, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioners are seeking anticipatory bail in FIR No.185 dated 13.11.2020, under Sections 452, 324, 323, 148 and 149 of the Indian Penal Code, 1860 ('IPC' – for short) (Section 326 IPC added later on), registered at Police Station Dera Baba Nanak, District Batala.

Learned counsel for the petitioners contends that he wants to withdraw the petition qua petitioner No.2.

The petition is dismissed as withdrawn qua petitioner No.2.

Learned counsel for the petitioners also contends that it is alleged in the FIR that petitioner No.1 had given a 'datar' blow on the right hand of the complainant. He also contends that petitioner No. 1 himself had received an injury which led to fracture of his leg and has referred to the copy of the MLR from Community Health Centre Fatehgarh Churiah at Annexure P3. He also contends that an application (Annexure P2) in this regard was sent to the

Senior Superintendent of Police, Batala, on 19.11.2020, but no action has been taken by the police. He further contends that the injury which is attributed to petitioner No. 2 is a 'kirpan' blow from reverse side on the head of the complainant.

This Court, by the order dated 12.01.2021, had directed petitioner No.1 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 has filed an affidavit of Inspector General of Police, Border Range, Amritsar wherein it is mentioned that a cross case on the complaint of petitioner No.1 has been registered and the matter is being investigated. He, upon instructions from ASI Iqbal Singh, states that petitioner No.1 has joined investigation.

In view of the above and petitioner No.1 having joined investigation, the order dated 12.01.2021 granting interim bail to petitioner No.1 is made absolute.

However, petitioner No.1 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

14.07.2021

SwarnjitS

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