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

CRM-M No. 38510 of 2020
Date of Decision: 23.03.2021

Souravdeep Singh

-Petitioner

Vs

State of Punjab

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Ms. Sandeep Kaur, Advocate, for
Mr. Ritesh Pandey, Advocate,
for the petitioner.

Mr. Amar Ashok Pathak, Addl. A.G., Punjab.

Mr. A.S. Manaise, Advocate,
for the complainant.

RAJ MOHAN SINGH, J. (ORAL)

The case has been taken up for hearing through
video conferencing.

Petitioner seeks grant of anticipatory bail under
Section 438 Cr.P.C. in case bearing DDR No.16 dated
02.11.2019 under Sections 326, 324, 323, 34 IPC in FIR No.112
dated 27.10.2019 under Sections 326, 324, 323, 506, 34 IPC
registered at Police Station Dera Baba Nanak, District Batala.

Notice of motion was issued on 23.11.2020 and
arrest of the petitioner was also stayed.

Learned counsel for the petitioner submits that it is a

case of version and cross version. The complainant party in version i.e. FIR No.112 dated 27.10.2019 under Sections 326, 324, 323, 506, 34 IPC, Police Station Dera Baba Nanak has already been granted anticipatory bail. In the present case i.e. DDR No.16 dated 02.11.2019 under Sections 326, 324, 323, 34 IPC, the injury attributed to the petitioner is datar blow on the left arm wrist of the complainant. At one point of time, interim bail was granted by the court of Sessions and in pursuance thereof, the petitioner had infact joined the investigation, but subsequently it was dismissed on the ground of gravity of the offence.

It is not in dispute that it is a case of version and cross version. The Court will determine as to which one of the parties was aggressor on the basis of material to be led by the parties during trial.

In view of above, the petition is allowed. Petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 31.03.2021 and in the event of his arrest, he shall be released on anticipatory bail on his furnishing adequate bail bonds/surety bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

i) that the petitioner shall make

himself/herself available for interrogation before the Investigating Officer as and when required;

ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;

iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his/her passport, if any.

23.03.2021
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No