

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

211

CRM-M-483-2022

Date of Decision: 16.05.2022

Tejbir Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

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

Mr. Tanvir Joshi, AAG, Punjab,
assisted by ASI Balkar Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide DDR No.21 dated 24.11.2021 under Sections 323/324/325/326/34 IPC in FIR No.102 dated 14.11.2021 under Sections 323/324/148/149 IPC (Section 325 IPC added later on) at Police Station Sekhwan, Police District Batala, District Gurdaspur.
2. At the time of issuance of notice of motion on 10.01.2022, the following order was passed:

“The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide DDR No.21 dated 24.11.2021 under Sections 323, 324, 325, 326, 34 of Indian Penal Code in FIR No.102 dated 14.11.2021, Police Station Batala, District Gurdaspur under Sections 323, 324, 148, 149 of Indian Penal Code, wherein offence under Section 325 IPC was added later on.

Learned counsel for the petitioner submits that on 8.11.2021 when the petitioner and his father (Sukhwinder Singh) were sitting in courtyard, then Kashmir Singh accompanied by 4 other persons attacked them. It has been submitted that while Sukhwinder Singh (father of the petitioner) sustained 7 injuries, the petitioner sustained 2 injuries.

Learned counsel for the petitioner has submitted that the counter version has been got lodged subsequently as a counterblast wherein Kashmir Singh is stated to have sustained 3 injuries. It has been submitted that since it is a case of cross-versions, where infact the injured on petitioner's side have sustained more number of injuries, it is apparent that it is the opposite side i.e. Kashmir Singh and others, who are the aggressors. It has been submitted that, in any case, since the question as to who is the aggressor is to be adjudicated after evidence is led, the petitioner deserves the concession of anticipatory bail.

Notice of motion for 16.5.2022.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation and that he is not wanted in any other case.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and otherwise has a clean record, the petition is accepted and the interim directions issued by this Court vide order

dated 10.01.2022 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

16.05.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

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